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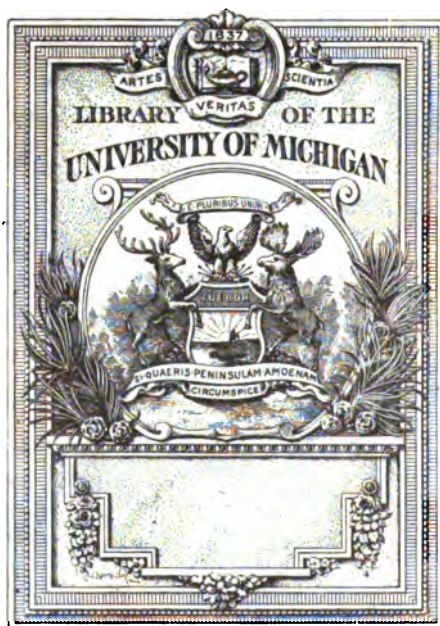
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# THE EDITORIAL REVIEW



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## CONTENTS

	PAGE
Unrestricted Power . . . . .	1
Timely Topics . . . . .	3
A Decade of Banking Progress . . . . .	7
Increase In Banking Business . . . . .	14
Panama Canal, Regulation of Commerce . . . . .	16
Panama Canal Tolls . . . . .	27
A European View of Trusts . . . . .	29
Usefulness Of Corporations . . . . .	33
The Increased Cost of Opera-Giving . . . . .	35
Why the Russian Treaty Should Be Abrogated . . . . .	39
The Jew In Russia . . . . .	43
Building Construction and Fire Prevention . . . . .	46
Fire Prevention, Life Protection . . . . .	57
The United States As a Commercial Power . . . . .	59

## CONTEMPORARY JOURNALISM

Ohio State Journal . . . . .	62
Learning and Earning . . . . .	65
The Impending Struggle for the Distribution of Wealth . . . . .	66
Shall It Be Taft? . . . . .	69
Flash Of The Old India . . . . .	71
Arizona and New Mexico . . . . .	72
The German Election . . . . .	73
The Automobile Industry . . . . .	75
The Trade Of Latin America . . . . .	77
What Excuse Now For More Delay ? Sympathy . . . . .	78
Literary Notes . . . . .	80
With Our Publishers . . . . .	83

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THE EDITORIAL REVIEW is a high-class journal of original thought and the medium for the selection and presentation of dominant editorials of the daily press, thus denoting the views of different sections of the country.

It appeals to those who desire information on questions of high particular and general import. It is a class publication for those who wish to keep pace with every important movement in current general history

## UNRESTRICTED POWER.

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UNDER the same conditions that have fostered the creation of Trusts in the industrial world, we have today a group of men in possession of a financial Trust, composed of a combination of Banks, Trust Companies and Insurance Associations all welded together by either personal or legal control, which places them in a position of unlimited power. The evil arising from this condition is only dimly apparent to the general public, and is scarcely appreciated by even the bankers in this country. In emphasizing this evil, it is felt that a public service is rendered, inasmuch as this statement may stimulate the discussion and inquiry necessary to help in correcting the great danger which faces the American people as a consequence of private interests commanding the distribution of money—a greater danger than the control of specific articles of commerce.

Money is the blood of commercial existence—one of the compelling forces to which all events must bow, the necessary element for life, good morals and happiness,—so far-reaching in its power and effects that the control of any or all of the articles of trade and commerce is as nothing compared to the control of a fraction of the country's gold.

The danger lies not in the individuals who today have striven to reach that position, and who are partially succeeding, but in the fact that the country can not afford to have any of its resources so managed as to make individual power supreme. The plans before Congress for monetary reform, and the recommendations of individuals and of associations do not clearly indicate a method of eradicating the evil. This can be partially accomplished by supplementary legislation, which, among other restrictions, shall make illegal the lending of funds to any individual or corporation in which any officer or stockholder of any institution is directly or indirectly interested.

This one provision added to our present laws, which limit loans to directors and amounts to individuals, would destroy,



for the present at least, the incentive to control, and would leave the monied institutions to invest properly in the business of the community and not in the operations of its favored owners, and if new conditions of danger arise, legislation to correct the same will be enacted.

To leave conditions where they are today, fostering the growth of a centralization of the control of loanable funds, is more far-reaching than the creation of a feudal business system which is the inevitable consequence of such centralization. It accentuates an economic unrest which forces socialism into anarchism. It would undo all the good work accomplished by the government in its campaign for limiting the power of railroads and of commercial corporations.

The great force moving throughout the world, seeking to uplift the poor and to curb the rich, is the present intellectual form of the identical force that has overturned Empires in the past and was the French Revolution of our era,—a force that at any moment may break the bonds of reason and develop the "beast" that lies dormant in every human being. The intelligent government regulation, giving every citizen an equal opportunity, is an intellectual progress guiding and controlling the tremendous pressure which the "struggle for life" forces the masses to exert in reaching out for a betterment of their condition and to wrest from the wealthy that wealth which is unjustly theirs.

During our short existence as a Republic, that has stood as a haven for the oppressed, where every man is said to be equal and entitled to life and happiness, we have had formidable problems to face. So far we have solved them all except one—this one is the economic question underlying the curtailment of that "equal opportunity" for which this country was established. Whatever errors are committed in the attempt to curb undue power in the hands of any of our citizens they count as nothing compared to the overwhelming collapse which surely will follow should the control of the government fall into hands venal or unwise enough to favor a factitious prosperity based on the great wealth of a favored few and the submissive condition of a dependent multitude having food to live but no opportunity to rise.

THE EDITOR.

## Timely Topics

*A Decade of Banking Progress*, by Lawrence O. Murray, is a pleasing and systematically ordered presentation of the last ten years' advance in United States banking. Mr. Murray is Comptroller of the Currency, and consequently the statistics, comparisons, and views in this article are of the most authoritative character. The outlook for the future is most optimistically pictured. This contribution and that by Mr. Austin in the present number tell a story of wonderful progress that should make all true American citizens proud of their country and confident of its financial soundness. By the admirable retrospect of the last decade and the able review of present-day conditions, the reader will be able to form a better and more comprehensive idea of how this country stands from a banking point of view, than through any other source of information. The banking power of the United States has doubled since 1900 and is four times what it was twenty years ago. It now represents two-fifths of the banking power of the world, and an amount of money equal to that of the United Kingdom, France and Germany combined. Mr. Murray writes interestingly of our stock of gold, the resources of the banks, and of their geographical distribution that makes the financial standing of each section of the Union. He surveys the healthy banking conditions of today and the future prospects, which augur an unexampled growth in national prosperity.

*Panama Canal Regulation of Commerce*, by Lewis Nixon discusses the question of the proper and equitable tolls that should be levied on the different nations using the Canal when it is officially opened as a world's highway of commerce and inter-relation. Mr. Nixon, who has studied the question at first-hand, and who contributed to the January (1910) number of THE EDITORIAL REVIEW an illuminating article—"Peace with Safety—The Fortifying of the Panama Canal"—compares the Suez and the Panama Canals, pointing out that the cost of operating the latter must be paid by

taxing either the United States or those who use the waterway for commerce. He explains that recently there has been a greater enlightenment among the people in regard to the terminating of treaties and to discrimination exercised in certain cases. Mr. Nixon emphasizes the dependence of this country on foreign ships for exchange of commodities, and that in the next twenty-five years of expanding trade with other nations this dependence will be more and more felt. The United States will indeed be reduced almost to the position of producers and consumers and thus enrich foreign peoples by its payment of charges on our \$300,000,000 commerce abroad. This leads him to deplore the apathetic attitude of public men toward the rehabilitation of our merchant marine—in his opinion one of the most momentous problems that confront the American nation today.

*A European View of Trusts*, by Prince Orazio Di Cassano-Zunica, discusses from a psychological, rather than from an economic or legal standpoint, the question of trusts, that is today receiving so much attention from thoughtful observers and public administrators in the United States and other countries. The prince has devoted himself to the cause of peace and the furtherance of international law,—is Chairman of the Congress for the Federation of Europe; founder of the Italian Institute of Social Coöperation, and a member of the Executive Committee of the American Society for the Settlement of International Disputes. In this article he voices a sentiment that has gained much strength in Europe and that finds many supporters on this side of the Atlantic, namely, that for the evils attending Trusts remedies might be devised more beneficial to the people than the policy of breaking up active businesses on a large scale on the ground that they are monopolizing trade, for such combinations, if disrupted, could remove to other countries, thus continuing the attendant evils. It is pointed out that under various guises monopolies have existed for many centuries, and that where municipalities own and operate railroads and other public service utilities, there is little advantage to the public, for high rates are charged. Attention is drawn to the differing views held by Europeans and by Americans on the uses of money, and some novel aspects of American financiering and wealth accumulation are presented as arising therefrom. The conclusion is that, in general, Trusts have promoted industry and commerce; have introduced scientific business methods that have stood the test of

time; and that they may, when properly organized and administered, be of great public use and benefit.

*The Increased Cost of Opera-Giving*, by Robert Grau, contains startling facts and statistics showing that the "cost-of-living" problem has invaded Grand Opera, and has produced remarkable changes in cost and practice during the last thirty years. Mr. Grau, who is an acknowledged authority on matters operatic and theatrical, and whose article on "The Moving Picture Theatre" in our November number was highly commended in many professional quarters, gives an illuminating and informing review of the conditions that have developed since the "ideal cast" made possible the declaration of the first dividend in the history of American Grand Opera under the Abbey-Grau régime. The progress and the vicissitudes of opera in the principal cities of the United States; the effect upon opera of concerts in which the leading singers take part; and the possibilities of the future music of this country, are set forth in an interesting and instructive manner.

*Why the Russian Treaty Should Be Abrogated*, by William Sulzer, shows convincingly that the Russian passport question is essentially an American question and involves one of the fundamental principles upon which our system of government is founded. The rights of our citizens abroad, as well as at home, must be respected without reference to race or creed; for respect to American citizenship is the touchstone of recognition of American authority. Mr. Sulzer represents in Congress the Tenth District of New York. He has given much time and thought to the study of this question. In this article he conclusively demonstrates that Russia has not "lived up to" the Treaty of 1832, whereas the United States has carried out the Treaty obligations to Russian subjects, irrespective of race or religious belief. The passport question has been a matter of controversy for many years, and the injustice of treatment accorded to certain American citizens in Russia has resulted in protest and indignation in this country. Public opinion seems at last to have crystallized, and the arousing of the public conscience bids fair to settle what has become an insult to the whole body of American citizenship. Congressman Sulzer, whose resolution in the House was recently passed by an overwhelming vote, considers that the only remedy is to abrogate the present Treaty and subsequently to conclude one in which no loophole shall be left to the

Russian government for injustice to American citizens on account of race or creed.

*Building Construction and Fire Prevention*, by William L. Ransom, comes as a timely reminder, lest we forget, after a great holocaust of human life by fire, such as that which aroused public horror and indignation in March of last year, when the Washington Place (New York City) conflagration claimed so many victims, to take proper precautions in the future. That catastrophe stirred the New York legislators into action, and fifty or more bills were introduced into the State Legislature at the last session, the object of which was better protection from fire of structures erected or in course of erection. One of the outcomes was the Wagner-Smith Commission. The Hoey-Sullivan Bill (Senate Act No. 270, Assembly Act No. 407) created a new office, that of Fire Marshal, the first appointee being John F. Ahearn. Another measure, affecting New York City alone, that has received the approval of the Legislature and of Mayor Gaynor, aims to protect the greater city from the ravages caused by conflagrations and the inadequate safeguarding of buildings, private and public. Mr. Ransom writes from the viewpoint of his experience in the legal work of several of the larger firms engaged in building and construction work in the Eastern States before he recently became identified with the rapid transit activities of the New York Public Service Commission for the First District.

*The United States as a Commercial Power*, by Oscar P. Austin, is a statistical statement of the marvelous progress of the country in the realm of exports and imports. In 1911 our exports exceeded those of any other country except Great Britain and our imports were larger than any other country except Great Britain and Germany. Mr. Austin is the Chief Statistician of the Department of Commerce and Labor and is a recognized authority on statistico-economic questions. He calls attention to one feature of special interest, the rapid gain in the manufactures exported, which has more than doubled in the last decade. He analyzes the various classes of imports and indicates the increases and decreases respectively. Some of these are thought-compelling. He believes that the year of 1911 will, when all returns are in, prove a record higher than any previously made. The vastness of the figures is almost overwhelming; they convey a clearer conception than can otherwise be gained of the country's commercial progress, position and future possibilities.

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LAWRENCE O. MURRAY,  
Comptroller of the Currency.

U. S. N.

## A DECADE OF BANKING PROGRESS.

BY LAWRENCE O. MURRAY.

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THE financial status of a country, its advance or its decline, is a fair measure of its progress in all the lines of human endeavor. It is well, therefore, at the beginning of the new year, which promises great things in many ways, to see just what progress we are making financially. If the conclusions indicate a condition making for pessimism, then we should face that situation, be prepared to make the best of it and to improve conditions, if that can be done. If, on the other hand, the conclusions make for an optimistic view, then every citizen interested in our headway as a nation will rejoice and take courage.

The first ten years of the Twentieth Century have been a period of wonderful growth in business activity throughout the world, but in our own country the high mark attained in every line of industry and trade is simply marvelous. The record of this period can not be more forcefully presented than by telling the story as reflected by the condition of our banks. During no other period in the history of our country has banking made greater progress or been conducted on a higher plane.

The upward trend in business activity which began in 1897 has continued through the past ten years. Our crops, in the main, have been bountiful; our foreign trade has gained proportionately; our factories and work shops have been kept busy; and our banks, growing as the people became more prosperous, reflect in their summarized reports the splendid prosperity of the country.

The banking power of the United States today is estimated at over twenty-one billions of dollars, or two-fifths of the estimated banking power of the entire world. It has almost doubled since 1900, and it is four times as great as it was twenty years ago. Our banking power is double that of the United Kingdom and equals the estimated combined banking power of the United Kingdom, France and Germany.



The aggregate resources of all the banks of the United States approximate 24 billions of dollars and the wealth of the country is estimated at 130 billions. It therefore appears that over 18 per cent. or nearly one-fifth of our aggregate wealth is represented by resources of the banks.

The resources of the banks of the country have more than doubled since 1900. The number of banks has increased since that date from a little more than 10,000 to over 24,000; their capital has increased from a billion to nearly two billions; deposits have increased from 7½ billions to 16 billions; aggregate resources from about 11 billions to more than 23½ billions, while surplus and profits have increased more than 134 per cent. or from \$882,000,000 to \$2,065,000,000. The ownership of this vast wealth held in trust by the banks is not all confined to the wealthier classes, for the deposits in savings banks, representing the accumulations of wage earners, have increased in ten years by \$1,763,000,000, or a gain of 72 per cent., and now aggregate \$4,212,500,000. There are 3,600,000 more depositors in savings banks than ten years ago, the number now being 9,794,000 and the average deposit has increased to \$430, from \$401 in 1900.

To meet the demands of increasing business, our stock of money has increased 50 per cent. since 1900, the sum of \$1,216,000,000 having been added to the coin and other money in the United States, while more than \$407,000,000 has been added to the national bank currency in circulation.

The United States leads all other nations in its stock of gold, holding over 25 per cent. of the world's estimated stock. In late years the gold supply of money has increased in every country, but the United States is far ahead of other countries in its accumulation. In 1900 the stock of gold of this country was estimated at \$1,020,200,000, in 1910 it had grown to \$1,710,000,000, or an increase of 67 per cent., and amounts to 70 per cent. of the estimated holdings of Russia, France and the United Kingdom. The gold money of Russia is estimated at \$961,000,000; of France at \$926,000,000 and of the United Kingdom about \$550,000,000. The increase in the gold stock of the United Kingdom for the past ten years has been 13 per cent., in France 14 per cent., in Russia 21 per cent.

I have stated that the resources of all the banks totaled 24 billions. The resources of the reporting banks amount to

about  $23\frac{1}{2}$  billions of dollars. Let us look at the items that make up this vast sum, and see how it is invested.

About 21 per cent. of the resources are invested in stocks, bonds and other securities, such investments aggregating 5,051,856,404. Of this amount, over \$1,200,000,00 consists of State, county and municipal bonds and \$2,152,000,000 of railroad and bonds of other public service corporations. The loans and discounts aggregate \$13,046,389,845, more than one-half of which are secured by real estate liens or by other collateral.

There is held in the tills and vaults of the banks \$1,554,147,169 in cash, or nearly 10 per cent. of the individual deposits. In addition to the cash reserve, there are cash means aggregating \$422,687,513, consisting of exchanges, checks and other cash items, making cash and cash means aggregate \$1,976,800,000, or over 12 per cent. of the individual deposits.

The proportion of the various items of resources in all the reporting banks of the United States is as follows: 52 per cent. in loans; 21 per cent. in bonds, stocks and other securities; 12 per cent. in cash and cash items; 11 per cent. due from other banks, and 3 per cent. in real estate owned, including banking house, fixtures and furniture.

A banking system that builds up large surpluses makes for strength and stability. In this regard our banks have done wonderfully well, for the surplus of all the banks is greater by \$113,000,000 than the capital stock. Of the individual deposits, the sum of \$6,082,000,000 represents savings deposits, and not more than 62 per cent. of all deposits are subject to check without notice. These figures for deposits represent about one-eighth of the estimated wealth of the whole country, and the statistics show how well this vast accumulation is invested.

Large as the aggregate amount of resources appears, the figures stated do not represent the entire banking strength of the country, for there are over 4,000 private banking concerns and brokers from which no reports are received. It is estimated that the resources of these non-reporting banks is about three-quarters of a billion dollars, so that the resources of all the banks from the smallest to the largest in operation in the country will approximate over  $24\frac{1}{4}$  billions of dollars.

The resources of the banks in the several geographical sections of the country will measure very closely the financial standing of each section of the Union. Of the 24 billions of bank resources of

the country, the Eastern States have over 10 billions; the Middle Western States come second with  $5\frac{3}{4}$  billions; the New England States third with approximately 3 billions; the Southern States fourth with about  $2\frac{1}{5}$  billions; the Pacific States fifth with  $1\frac{3}{5}$  billions and the Western States sixth with  $1\frac{1}{8}$  billions, the banking resources of the Island Possessions being approximately 64 millions. Of the bank resources of the whole country, the State of New York holds over one-fourth, the bank resources of that state aggregating over  $6\frac{2}{5}$  billions. Pennsylvania is next with about  $2\frac{1}{2}$  billions, Massachusetts third with about  $1\frac{3}{4}$  billions, Illinois fourth with  $1\frac{2}{3}$  billions. Ohio and California are the only other States which have over one billion dollars of bank resources.

The capital of all reporting banks is stated at \$1,952,400,000. The capitalization of banks in the Eastern States reaches nearly \$600,000,000, the Middle Western States being next with \$561,000,000, the Southern States third with \$335,000,000, the Pacific States fourth with \$171,000,000, the New England States fifth with \$139,000,000 and the Western States last with \$138,000,000.

Surplus and undivided profits of all banks reporting approximate \$2,065,600,000 or \$113,200,000 more than the aggregate capital. Only in the Eastern and New England States do the surplus and undivided profits exceed the capital stock of the banks. For each one dollar of capital stock of the banks in the New England States, there is \$1.82 of surplus profits, and for the Eastern States, \$1.77. The next highest is in the Middle Western States, where the surplus-profits are 66 per cent. of the capital, the Pacific States coming next with 61 per cent., the Southern States third with 57 per cent. and the Western States fourth with 49 per cent.

While the Eastern States predominate in resources, capitalization and surplus, that section is exceeded in the number of banks by the Middle Western, the Southern and the Western States. There are nearly three times as many banks in the Middle Western States as in the Eastern States and twice as many in the Southern States. There are about 5,000 banks in the Western States, 1,600 in the Pacific States, and about 1,100 in the New England States.

The books of all the banking institutions of the country show over 25 million deposit accounts, and, making allowance for duplications, it is safe to assume that over one-fourth of the popula-

tion are depositors. The depositors in savings banks alone number 9,794,000, while the number of depositors having savings accounts in all other banks is stated at over 7,834,000, the total deposits classed as savings in all banks being more than  $6\frac{1}{4}$  billions of dollars.

Since 1907 (panic year) individual deposits in all banks have increased over 21 per cent., more than \$2,806,000,000 having been added to the depositors' accounts.

While the average percentage of increase for individual deposits for the United States for the last fiscal year was 4 per cent., it will be interesting to note the varying percentages of increase or decrease in the several geographical sections during the fiscal year 1911. The largest percentage of increase, 15.62 per cent., is shown to have been in the Southern States, followed by the Middle Western States with 5.35 per cent., the New England States with 4.93 per cent., the Pacific States with 3.59 per cent., the Eastern States with 2.11 per cent. and the Island Possessions with 1.53 per cent. In the Western States a decrease of 3.42 per cent. is shown. The largest volume of increase was in the Middle Western States of \$190,000,000, followed by the Southern States with \$173,000,000, the Eastern States with \$138,000,000, the New England States with \$109,000,000, the Pacific States with \$37,000,000 and the Island Possessions with \$600,000—the decrease in deposits in the Western States being \$26,300,000. The proportion of individual deposits on June 7, 1911, held by each class of banks, was as follows: National banks 34.4 per cent.; savings banks 26.5 per cent.; loan and trust companies 20.7 per cent.; State banks 17.5 per cent. and private banks 0.9 per cent.

From the deposit account let us turn to the other side of the ledger and take note of the loans. Loans and discounts in the banks of the United States shown by reports of condition as of June 7, 1911, aggregate roundly, \$13,046,000,000. Of this amount \$5,634,000,000 is held by national banks and \$7,412,000,000 by banks other than national. Of the total loans, over \$7,146,000,000, or more than 54 per cent., are secured by real estate or other collateral security. About 36 per cent. of the loans reported by national banks are secured by collateral, while over 68 per cent. of the loans by banks other than national are thus secured, about 40 per cent. being on real estate security.

As has been stated, the sum of \$5,051,000,000 of the banks' resources are invested in bonds, stocks and other securities. Infor-

mation in detail as to the character of investment in bonds, securities, etc., from all the banks was first obtained in April, 1909, when the aggregate investments in bonds, stocks and other securities by all reporting banks were \$4,614,000,000. In 1910 such investments had increased to \$4,723,000,000 or a gain of 109,000,000. For the present year, investments in bonds, securities, etc., aggregate as stated, \$5,051,000,000, a gain of \$328,000,000 during the year. About 32 per cent. of investments of the banks reporting in 1911 are in railroad bonds and about 11 per cent. in bonds of other public service corporations. Nearly 24 per cent. is invested in State, county and municipal bonds, a little over 15 per cent. in United States bonds, and the remaining 16 per cent. comprises miscellaneous stocks, bonds, etc. The national banks hold bonds valued at \$1,762,400,000. Of this amount, \$754,700,000, or over 42 per cent., are United States bonds. The bond holdings of the mutual savings banks approach nearly that of the national banks, \$1,715,500,000 being held by this class of institutions, over \$781,000,000 of which are railroad bonds and about \$754,000,000 State, county and municipal bonds.

The average rate of interest paid by banks other than national on savings deposits is 3.73 per cent., and on other interest-bearing deposits, the average is 3.25 per cent. The average rate paid by State banks on savings deposits is 3.64 per cent.; by mutual savings banks 3.95 per cent.; by stock savings banks 3.61 per cent. and by loan and trust companies, 3.74 per cent. The average rate of interest paid by national banks on such deposits ranges from 3 to 4 per cent. or an average of about  $3\frac{1}{2}$  per cent.

A retrospective view of banking for the brief period of ten years will show a development surprising to those who take the trouble to compare figures for ten years ago with those compiled for 1911. Since 1900, the number of banks in operation in the country has more than doubled. Their capital has increased by over 75 per cent. and their volume of business as indicated by their deposits shows an increase of over 114 per cent. In 1900, the total number of banks in operation (including the non-reporting banks) was stated at 13,977, with capital of \$1,150,000,000 and individual deposits of \$7,689,000,000. For 1911, the number increased to 28,551 (including 4,159 non-reporting banks) with aggregate capital of \$2,032,000,000 and individual deposits of \$16,466,000,000. The national banks have increased from 3,732 in 1900 with aggregate capital of \$621,000,000 to 7,277 on

June 7 last with aggregate capital of \$1,019,000,000; other reporting banks from 6,650 with aggregate capital of \$403,000,000 to 17,115 with aggregate capital of \$932,000,000. The non-reporting banks, chiefly private banks or brokers, are now estimated at 4,159 with capital of \$80,000,000.

It will thus be seen that the capital of the national banks about equals the capital of all other reporting and non-reporting banks, but the other banking institutions out-number the national banks nearly 3 to 1.

The increase in deposits of the banks and in the volume of their loans during the past ten years shows what measure of prosperity the people have enjoyed. It is a period unparalleled in the history of the country's finances, in the growth of banks and the gain in deposits, and the statistics from all the banks annually compiled tell a most interesting story of the country's growth in wealth, and from them we may obtain a clearer idea perhaps of business conditions than from any other source of information.

Taking our country by and large, the banks are today better managed, as a whole, both State and national, than ever before in the history of this country. There are a few badly managed banks, but that has always been so and always will be. The thing to do is to use all of the power given to an executive by law, and supplement that by the best and most efficient executive administration, to lift up the badly managed banks to a higher place of safety. We need, and sorely need in this country, such a reform in our banking laws as will prevent in times of panic and crises the breaking down of our great credit machinery with a resulting paralysis of business of every kind from the smallest to the greatest. When that legislation is passed we shall have the best banking system in the world; a banking system that gives banking facilities under local control and direction to every little hamlet in this great country. We are forging ahead wonderfully; the last decade tells a story that should make us all feel proud of our country's development.

Laurence O. Murray

# Editorial

## INCREASE IN BANKING BUSINESS.

*(Washington Post.)*

RETARDING influences in the financial world are seen to be less considerable when expressed in figures than in words. Or, is it because bad news travels faster than the other kind that the impression got abroad that the last twelvemonth had been exceptionally fruitful of developments disastrous to general business? At any rate, what happened to give us cause for apprehension seems not to have had an immediate chilling effect on banking operations, a barometer of trade whose readings can not be gainsaid.

Comptroller of the Currency Murray is the indisputable authority for the rather surprising statement, made in his annual report to Congress, that the volume of business transacted by the national banks during the year ended October 31 was substantially larger than during the previous year. Additionally the bank deposits show a gain in excess of half a billion, while the sum total of ready money in circulation reached new top-notch figures. These items of special significance are tempered, however, by the circumstantial statement that the increased operations over 1910 are less than the ten-year average.

A still more important item on the debit side is that loans and discounts, the biggest item in a bank's resources, increased only 3.59 per cent., as against an average ten-year increase of 6.52 per cent. The fact that individual deposits reached the highest point ever attained also attests to a state of things not reflective of ideal conditions, since it goes to show that the depositors would not have put in bank had they needed the money in their business. However, the croakers can not escape from the concrete fact that the deterrent influences were not present in sufficient strength to put a full check on the momentum due to nat-

ural increase, whatever the consequences were in special cases. Losses in New England and the middle States were offset by the phenomenally favorable conditions in the South. The West appears to have held its own, the banner crop yields of a year ago practically compelling a continuance of activity in the transportation business and in market circles despite the depression in the East.

There is no offset to the flattering returns as to the net earnings and dividends of national banks during the last fiscal year. The earnings approximated \$157,000,000, out of which \$115,000,000 was disbursed in dividends representing 11.38 per cent. on the capital, and 6.83 per cent. on the combined capital and surplus. The Comptroller's report, on the whole, is the most valuable contribution to the factors making for a return to normal conditions in the centers of disturbance that the Treasury has yielded since things took a bad turn.



## PANAMA CANAL REGULATION OF COMMERCE.

BY LEWIS NIXON.

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THE rampant altruism existing in some quarters which wishes to make the Panama Canal a free highway for the ships of all nations, is not taken seriously. Therefore, prior to the official opening, the necessary laws must be passed by Congress to establish regulations as to tolls and other details of operation.

The Suez Canal is managed by a company and pays a dividend of about 30 per cent. Of course the largest stockholders are nations, but though the cost of the shares has probably been paid back to them several times we hear no demand from the important maritime nations that this Canal should be made a free highway. Such generosity is expected only from the United States.

Between producers of Europe and the markets of the East, Providence has provided a barrier of land, and our position was *advantageous* from the fact that our European competitors in Eastern markets had either to pass over or around such land or to go via Suez.

Many seem to have lost sight of the fact that the centre of population of the United States is far westward, and that if commodities must be shipped by water to Eastern Asiatic markets the demand will be met by a response that will develop factories whose rail distance will be less to our Western ports that are situated thousands of miles nearer to such markets than our Eastern ports. I have seen it stated that it was possible to take freight from New York via Galveston and the Southern Pacific to Los Angeles at six dollars per ton and make money. If this be possible, the wisdom of the building of the Tehuantepec route has been more than justified and our lack of foresight in not coöperating with Mexico clearly demonstrated.



LEWIS NIXON

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The Canal, however, is built and the costs of operation must either fall entirely on the taxpayers of the United States or must be paid for by those who use the Canal. Conditions are very different from those obtaining at the Suez Canal. Rates have gone down steadily from the original ten francs per ton for vessels using the latter route and still they pay the costs of operation and other charges and return a good interest on the stock.

Opinion seems to centre about the price of a dollar per ton (register) for the use of the Panama Canal. This, of course, should be in the hands of one man or of a commission, as most probably changes will have to be made until the right balance is found. Since the Canal could not be insured against earthquakes there should be a fund gradually accumulated by a surtax to rebuild in case any parts are damaged, such sum to be not less than twenty-five million dollars.

We hear many express their desire to see the United States flag afloat in the foreign trade. Such is our prostration in our merchant marine at present that whatever the means employed to secure its rehabilitation it must be drastic and compelling. Jefferson said:

"It is not to the moderation and justice of others we are to trust for fair and equal access to markets with our productions, or for our due share in the transportation of them, but to our own means of independence and the firm will to use them."

We are drifting more and more into hopeless dependence upon foreign ships. The exchange of commodities upon the oceans will double within the next twenty-five years. If we suffer our various products to be interchanged solely through the medium of transportation systems foreign to our control, such system will be able, after portioning out our trade to their self-interest, to inflict inferior service at disadvantageous rates. The commerce now carried on between our country and the rest of the world is increasing, and with such increase there is forming an ever-strengthening control of its carriage in ships of another hemisphere. With such increase unchecked there will in time be built up a system powerful enough to replace competition by dictation. With buying, selling, banking, insurance and transportation developed to a degree that defies successful or possible exercise of such factors of commerce by ourselves, we shall be reduced to the position of simple producers and consumers, giv-

In many cases the disposition and price received by the producer are fixed by the carrier, so essentially necessary are trade connections and distributive agencies to the great maritime fleets of the present day, and such powers are of course used whenever possible to advance the material interests of their respective countries.

While too long a delay will be fatal and because the oceans are being parceled out to spheres of influence, just as helpless continents used to be, *any delay* will result in making the effort to free ourselves from foreign tribute less and less likely of successful accomplishment. So long as the pools, conferences and combines of another hemisphere control inter-American trade, they can keep the transportation charges in our trade such as they ordain and can continue to throttle the flow of trade to our disadvantage. Such dependence during the Boer War, on account of inferior service, high insurance and other trammels, forced us to pay a large part of the cost of that war.

To pay charges connected with our foreign commerce there is an outflow of our gold of over \$300,000,000. This is not a case of value received at all, for had we our own vessels this money would be to the country's credit instead of being sent abroad. While our public men get excited over the tariff, they treat with indifference a condition which taxes us to a greater amount than we collect at our custom houses.

The fact is not denied that an open and direct preference for our own ships in the foreign trade by discriminating duties and differential tonnage taxes did quickly bring into being a very large commercial fleet, the earnings of which changed many adverse balances of trade to favorable balances of commerce, keeping gold at home, stimulating trade in our country's commodities and starting us on the road to prosperity.

Our early shipping laws were effective, and, until their operation was suspended by unwise legislation which offered and gave much for nothing, safeguarded and fostered shipowning and shipbuilding and, in 1812, saved us as an independent nation. No one who has traced the rise and fall of our seagoing fleet can question the efficiency of a return to the policy which gave it beginning and healthy growth. Our foreign rivals know that general subsidies will not help us in the way of developing a demand for American bottoms, and rather than let us prefer our own vessels will graciously consent to our having subsidies.

But if one wishes to see a general alarm sounded mention discrimination in customs duties and differential tonnage taxes in an assemblage where there are those interested in foreign steamship control of our carrying trade. At once we hear, not a square meeting of the question, but a quick run to cover behind an imagined treaty. Not finding one valid argument with which to oppose a policy of true constitutional regulation of commerce they manufacture an issue, to use as a new bloody shirt in order to postpone the restoration of unlawfully bartered rights to all our people.

Article VI of the Constitution for the United States of America says:

"This Constitution, and the laws of the United States which shall be made in pursuance thereof; and all treaties made, or which shall be made, under the authority of the United States, shall be the supreme law of the land."

The Constitution from time to time has been amended and many laws changed. Is there anything about a treaty which makes it more sacred than our Constitution and laws, so that it must not be changed even though its workings are neither just nor equitable to one of the parties? Of course not, so long as the law of nations or precedents are followed in making changes. Treaties of peace and amity are not made for a term of years, as it would be absurd for nations to say they would remain on good terms for a limited time and then go to war. So to be terminated they must be abrogated.

Conventions, however, or commercial treaties, are bargains where privilege is matched against privilege and the very making of the convention confirms, or at least admits, the rights claimed by each. Conventions rest upon the idea of reciprocal advantages, each party obtaining an equivalent for what is yielded. When the advantage to one side becomes out of proportion to that resting with the other it is expected and accepted as equitable that there should be a termination or modification of the agreement, and this termination is usually provided for. For example, Article II of the Convention with Great Britain, continuing the Convention of 1815 which we executed as the price of peace:

"It shall be competent, however, to either of the contracting parties, in case either shall see fit at any time, after the 20th of October, 1828, on giving due notice of twelve months to the other contracting party to annul and abrogate this convention and it shall in such case be accord-

ingly annulled and abrogated after the expiration of the said term of notice."

Let us take the recent treaty between the United States and Japan, proclaimed April 5, 1911. Article XVII:

"The present treaty shall enter into operation on the 17th of July, 1911, and shall remain in force twelve years, or until the expiration of *six months from the date on which either of the contracting parties shall have given notice* of its intention to terminate the Treaty."

Could any one justly charge a breach of faith if either party should conclude that in the interest of its people the right to terminate, so clearly set forth, should be exercised?

In the last ninety years we have made maritime reciprocity agreements with forty-two countries. We have agreements of this nature now with twenty-two countries. We have two agreements of "no term" with Argentina and Liberia. In making such commercial agreements our early constitutional policy was not abandoned, but was in exact words *suspended* temporarily and conditionally as to such nations as would reciprocate for a term of years—generally ten. The impression our rivals' representatives in this country try to give is that foreign nations have acquired *rights* which we have relinquished and that it would be unfair to assert again our possession of such rights.

Several nations, such as Brazil, Peru, Nicaragua and Venezuela have terminated their conventions with us and we have terminated a number of treaties, and yet there was no evidence of a disturbed condition in our commercial relations. We had a commercial convention with England, 1854-64, for reciprocity with Canada which we annulled in 1865, and yet trade and transportation went on without injuring our trade relations in the least.

Our rights of navigation on the high seas belonging to the rights of mere ability are imprescriptible and we did not relinquish them because we consented to a suspension for a term of years. On the contrary every country that, to obtain the right to bring their ships and cargoes to our ports free from discrimination, made a convention with us, confirmed our rights on the sea and for regulating our trade. Under the unpatriotic and unconstitutional act of 1828 conventions of this sort merely make exceptions to our general laws. So clearly is this recognized that in every tariff act we reiterate the original law of discrimination and then make exceptions in favor of nations

with which we have agreements. We do not allow the wise law to die, but we put it to sleep on the principle that charity should begin and end abroad.

When forced to admit that the conventions are terminable bargains, the impression is given, and unfortunately obtains credence, that such termination would result in endless confusion. As a matter of fact we were most prosperous in our foreign carrying trade before we had any such conventions. As soon as we began to barter our rights we began to get the worst of the bargain. Yet there exists a belief, cunningly manufactured, that those commercial conventions must continue; that our only recourse is to pay subsidies or bounties, and that we can no longer "regulate commerce" as empowered by the Constitution because some mysterious and musty document in worshipful seclusion, too sacred for discussion, forbids.

As a matter of fact the participation of England's vessels in our indirect trade is based upon an improperly proclaimed circular of Secretary of the Treasury Meredith, issued October 15, 1849, twenty-one years after the passage of the Act of 1828, and not upon a treaty at all.

While every well-informed man knows that goods would be cleared and entered just the same and that business would continue without these conventions we are then treated to the malign influences of the bogie man—retaliation. As if every possible means of turning, cajoling or driving trade from American bottoms were not practised against us already!

This is a Government of limited powers, such powers being well understood by other nations, so that when they obtained suspension of such means of regulation of commerce as were constitutional they were free to adopt other means of encouragement to their navigation which they knew we were powerless to meet under our constitutional limitations.

Now that we are about to open the Panama Canal, when we study the question of its regulation with a view to deriving some advantages from the spending of the vast sum it will cost, we find ourselves again faced by treaties.

George Washington in his farewell message recommends:

"Establishing with powers so disposed, in order to give trade a stable course, to define the rights of our merchants, and to enable the Government to support them, conventional rules of intercourse, the best that present circumstances and mutual opinion will permit but *temporary and liable to be from time to time abandoned or varied as experience and*



*circumstance shall dictate; constantly keeping in view that it is folly in one nation to look for disinterested favors from another; that it must pay with a portion of its independence for whatever it may accept of that character."*

While the real warrant for the building of the Canal was that it was a war measure we found that fortifying it by the United States was bitterly opposed and European papers openly accused us of breach of faith in fortifying it, knowing that if the outlets were not protected a hostile fleet could pick off our vessels one at a time as they emerged from the Canal.

While the Hay-Pauncefote treaty can only by great twisting be construed to mean any more than equal and uniform treatment of the ships of other nations in their use of it, my objection to it is upon the score of violation of national sovereignty; for so long as it continues in existence we acknowledge two masters for the Canal Zone and as a self-respecting nation we should, if it ever be quoted against us, take steps for its immediate abrogation. General George B. Davis says on page 29 of his work on International law:

"From the definition of a sovereign state it follows that 'the jurisdiction of a nation within its own territory is necessarily exclusive and absolute. It is susceptible of no limitation not imposed by itself. Any restriction upon it deriving validity from any external source would imply a diminution of its sovereignty to the extent of the restriction and an investment of that sovereignty to the same extent in that power which could impose such restriction.'"

It is true that the Clayton-Bulwer treaty outlined conditions which two great nations agreed to follow in case a canal were built in territory alien to either party. But when we obtained ownership and sovereign rights over the Canal Zone the above treaty was no longer binding upon us as we should not admit a divided sovereignty.

Recent events have greatly aided in the education of the people in respect to both termination of treaties and discrimination. Some of the very men who predicted commercial wars or retaliation to follow termination of business-like commercial conventions, now very readily agree that the abrogation of the Russian treaty will leave commercial relations much as they are.

The letter of the Secretary of State of December 13, 1911, to Mr. Underwood, is an able exposition of the merits of discrimination.

In January, 1907, before the National Convention of Boards of Trade meeting in Washington, I had occasion to say:

"This country bears a terrific load on its foreign trade in the inflexible character of our tariff laws. Those clamoring for reciprocity in trade without being willing to reciprocate in trade conditions must learn that at least a partial application of the golden rule is necessary if permanent and mutual trade good-will is to be obtained. In other words, we should be in a position to grade favors given by favors received. I am strongly opposed to a provision that makes such flexibility inflexible.

"The application of the maximum and minimum policy should be at the discretion of the Executive and unqualified either as to universality or degree.

"A close study of the debates leading to the framing of the Constitution has convinced me that under the power to regulate commerce it was expected that just such provision would be utilized. Every expression of opinion shows that the power to regulate commerce contemplated discrimination when and if necessary."

In other words, no general legislation can meet all cases. Establish certain limits of discrimination and let the President apply as much discrimination within such limits as in his judgment is necessary, and on such particular articles of the list as will produce the best results.

This idea was strikingly set forth by Jefferson in his report of December, 1793, wherein he suggests an application of a maximum and minimum policy to regulate commerce.

"In our case one distinction alone will suffice; that is to say between nations who favor our productions *and navigation* and those who do not favor them. One set of moderate duties for the first and a fixed advance on those *as to some articles*, and prohibitions as to others for the last."

The statesmen of Europe know our commercial history and the most dreaded policy upon which we could enter is the reassertion of the Constitutional right and duty "to regulate commerce with foreign nations," suspended in 1828. It is a sword of Damocles and has been the inspiration to them of every commercial treaty since then.

The one thing at all hazards is to prevent a preference for our own ships, for they know that such preference, when exercised, built up and nourished a commercial marine adequate to our needs, and they also know that it would do this again.

Of course, I should not want better authority than that of the greatest living Constitutional lawyer, George F. Edmunds, as to our right to prefer our own vessels. He said at a hearing be-

fore the Committee on Commerce of the Senate of the Fifty-sixth Congress, first session:

"We are in the attitude of being able, without any breach of treaty obligations, to resort to discrimination in respect of our vessels and commerce after giving the requisite notice and after the lapse of time referred to."

But we need every aid possible so long as our marine languished and so strong is the opposition to measures for its rehabilitation.

One strong aid would be a preference for our own vessels using the Canal, the Canal "to be free and open to the vessels of commerce and of war of all (other) nations on terms of entire equality." This is certainly what is meant, as in referring to the fact that vessels of belligerents shall not remain more than twenty-four hours in its waters or within three miles of either end, England certainly did not expect us to refuse asylum to our own Navy in time of war for as long or as short a time as we might wish. This is no attempt at an ingenious argument, but a common-sense interpretation confirmed by two Presidents in their statements that this canal is an addition to our war power as it admits of quick transfer of naval forces from ocean to ocean. To confine the benefits of the Canal to our war fleets only in time of peace would indeed be a travesty. There is no valid reason against establishing a preferred toll rate for our vessels and in letting foreign vessels to whose advantage it is to use it at least pay higher rates. Of course, personally I believe that it should be a free highway for our own vessels. The nations that rebate the Suez Canal tolls to their own vessels can very well afford to do it, as several of them own stock in the Canal which has paid for itself and the interest they receive is in part drawn upon for payment of such rebate. To rebate tolls paid by American vessels is to beg the question. We have the right in regulating to prefer our own vessels and should do so. So I do not believe that with the unnecessary but gracious permission of Great Britain that we shall have the exclusive right of providing for the regulation and management of the Canal, that there will be any complaint if we treat all nations alike in our regulations as affecting their ships in its use. But I should like to go further than this. Napoleon's dream of a combination of Latin-Europe and Latin-America was not realized. But there should be a

policy of the Western Hemisphere because this hemisphere, once united on the right plan, can achieve its destiny without fear of the sinister influences which seek control for their own profit.

The statesmanship which inspired the Monroe Doctrine gave expression to the idea that there was a fraternal bond uniting the American States by which closer union and coöperation are possible among them more than with any of them and European States. So in furtherance of this I would throw the Canal open to all American flags, under conditions similar to those for our own flag now flying on any ship or in the future flying on ships of domestic build, meaning by this, vessels built on any land of any Republic of the Western Hemisphere.

It would be advisable while free from the thralldom of existing commercial conventions to reciprocally extend our coasting trade laws by treaties to all of North, Central and South America, with the same restrictions as to build and flag as for the privilege of navigating the Canal.

This would at once put a premium upon American register and would insure the vessels in inter-American trade being under the flags of the American Republics, and thus making direct practical legislation by the Government interested.

From the insidious attacks upon our registry law which shares with our coasting trade law the merit of being the most beneficent legislation now on our statute books, it is plain to be seen that the powers which have influenced American public opinion to our undoing now realize that there is an awakening in American understanding and that ominous allusions to mysterious reasons why tried American policies should not be revised are losing force.

By combining Panama Canal regulation with such revival of constitutional policies as may be advisable there is an opportunity for constructive legislation as useful and as vital to our country as that of our first Congress. To sum up:

1. The Canal is an American highway under the sovereign control of the United States of America.

2. The costs of operation should be borne mainly by such ships of other nations as find it to their advantage to use the Canal; as they will not use it unless it is to their advantage.

3. Foreign vessels to pay one dollar per gross ton register as toll, if of foreign build; foreign vessels built in the United States to pay thirty cents per ton, United States vessels in the

foreign trade to pay twenty cents per ton, United States vessels in the coasting trade to pay ten cents per ton. No charge to be made for United States men-of-war; men-of-war of other nations to be charged as merchant vessels; ships in ballast to pay half rates.

4. To facilitate the intimate coöperation of the American Republics the coasting trade laws of the United States should be mutually extended by treaty to all of the Republics of the Western Hemisphere to be confined to such vessels as now fly their respective flags and in future shall be built in the Western Hemisphere, all such vessels to enjoy the fullest reciprocal liberty of commerce and use of the Canal at ten cents per ton rate.

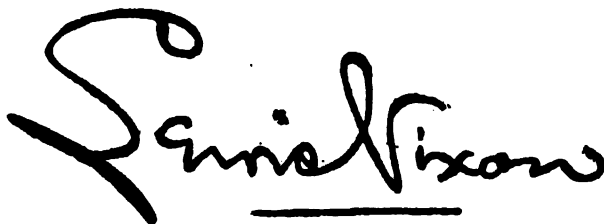
5. As adjustments are made from time to time the ratios given above to be preserved.

6. It will be necessary on account of the "favored nations" clauses to terminate the various commercial conventions if we conclude to bring about reciprocal liberty of coasting trade among the American Republics. And in drawing new conventions we should preserve the right to extend our coasting laws to countries of the Western Hemisphere, giving special rates to all such vessels.

7. If we wish only to prefer our own ships in the use of the Canal there is nothing in existing treaties to prevent it except an unfair interpretation of the Hay-Pauncefote treaty, and if this be cited against us steps should be taken for its prompt abrogation.

8. There is nothing in any treaty to prevent a preference for our own vessels in the coasting trade.

Must the United States hesitate to reform a ruinous policy in deference to foreign sentiment? The only appeals against asserting our rights on the oceans are appeals to cowardice and the only arguments are foreign arguments.

A large, stylized handwritten signature in dark ink, reading "Samuel F. Vinton". The signature is written in a cursive style with a prominent loop at the beginning and a horizontal line under the name.

# Editorial

## PANAMA CANAL TOLLS.

(*New York Tribune.*)

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THE plan of operating the Panama Canal freely, without tolls, which is earnestly urged by Mr. John Barrett, the director-general of the Pan-American Union, doubtless appeals strongly to the imagination, and also from some points of view to practical business sense, though from others it will not meet with commendation. The idea of a free waterway for the commerce of the world is splendid and we may well wish that it might be realized. There can be no doubt, either, that its realization would increasingly stimulate commerce by that route. More commerce would patronize it without than with tolls. But there are, after all, other things to be considered than the mere volume of commerce which is to pass through the canal.

The United States is spending some hundreds of millions of dollars on the construction of that canal, and will have to spend—because of the adoption of the lock and dam type—large sums yearly in operating it. There will be many men, of liberal and progressive minds, who will doubt the propriety of this country's spending so much money for the benefit of the commerce of the world, and chiefly, beyond doubt, the commerce of other nations. To do so would be altruistic, but there is such a thing as carrying altruism too far. There is no indication that any such generosity is expected by other nations, or that it would be needed to assure the success of the canal. The Suez Canal is not free, though it is at sea level, with comparatively low cost of operation, nor are there any complaints against the toll system, nor does that system appear to keep traffic away from the canal. On the contrary, the patronage of the canal, which is enormously profitable to the stockholders, is steadily and rapidly increasing, and is all that could reasonably be desired. It is to be believed

that under a suitable scale of tolls the Panama Canal will also be greatly and increasingly patronized, and will ultimately be a source of profit to its owners.

That a free canal would prove ruinous to the transcontinental railroads is not to be believed, any more than that a canal with tolls would not be profitably patronized or afford a desirable degree of competition with the railroads. Lake, river and ocean navigation comes into competition with the railroads in many cases, but does not injure them. On the contrary, land and water lines lying side by side, as along the Ohio River, both enjoy increasing prosperity. Of course, there should be independence of action. It would be intolerable to have the canal tolls dictated by the railroads and thus made so high as to prevent healthful competition, and it would also be wrong to put the canal rates excessively low just for the sake of hurting the railroads. The tolls should be computed on a basis of compensation for services rendered in the operation of the canal and of reasonable returns on the investment. On such a basis they will in time pay the costs of the canal and will permit the development of a large volume of commerce, without doing harm to any other legitimate industry.

The question of special privileges or profit to American shipping is, of course, worthy of consideration. This country stands bound to give all nations equal terms of transit. If it made the canal free to the ships of any nation, even to its own ships, it would therefore have to make it free to all. It might be possible to make purely coastwise traffic free, while all other was compelled to pay tolls. That plan has been suggested and is worthy of consideration. It is obvious that if it were possible to adopt it consistently with justice and honor an enormous advantage would accrue to the United States. Whatever is to be done, however, should be decided upon at the earliest possible moment. The date of the opening of the canal approaches, and the commerce of the world wants and needs to know on what terms the canal will be available for use.

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**PRINCE ORAZIO DI CASSANO-ZUNICA,**  
Chairman of the Congress for the Federation of Europe.

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## A EUROPEAN VIEW OF TRUSTS.

BY PRINCE ORAZIO DI CASSANO-ZUNICA.

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WE, on this side of the Atlantic, witness with great curiosity and a certain amazement the bitter campaign which is going on against Trusts, and the steps that both legislative and judicial powers are taking in order to check the industrial combinations in the United States. Of course, we may be wrong in supposing that there is some exaggeration in the criticisms against this modern form of undertaking, and that other remedies might be more efficacious and more widely beneficent for people at large than the winding up of many active concerns, which can always be reconstructed on new lines or can open up business operations in other countries.

Monopolies have always existed; since and even before the time when Henry of Valois delivered letters patent to a Florentine gentleman, giving him the sole right to make lace in France, down to the actual era of *bund*, *kartel*, or *syndicat*, the effects of privileged industries have been universally felt.

Railway, tramway, gas and water companies supply the needs of the majority of states and towns in Europe, as well as in America, and in the former are absolutely free from competition. When states or municipal corporations carry on such works they do it with little advantage to the public and with great burden to the ratepayers.

Large stores, great manufactories, news agencies, and numberless amalgamated industries flourish under the protection of so-called liberal constitutions, while the clamor against the high cost of living, which has reached a climax in France and Austria, and which would be equally justified in England, Germany, Italy, and elsewhere, shows that the pressure of prices upon the people is an evil with which all nations are nowadays confronted.

In America the methods adopted by the founders of industrial combines have proved probably more violent and have left a great deal of ill feeling and a desire for revenge, of which there exists no counterpart in Europe. The extravagances of certain multi-millionaires have attracted much more notice than the less sensational ways of employing money in the Old World.

At any rate, whatever influence Trusts may exert on the general welfare of the American people, whatever action should be taken by legislatures and courts on the matter, I venture to express an opinion from a psychological rather more than from an economic or legal standpoint, and to call the attention of students of present-day conditions to an aspect of the question which, so far as I know, has not as yet been examined.

In Europe money is regarded from the old-fashioned viewpoint of its buying power, for the securing of necessities or luxuries. We have, therefore, no other ambition in becoming rich than to satisfy our needs, reducing these as much as we can, and to avoid the trouble and risk of speculation. In America, on the contrary, nobody seems content with the actual wealth possessed, but strives for more acquisition, money being viewed as an instrument of conquest much more than one of exchange.

For Europeans to realize what motives impel an American struggling to accumulate a fortune, one must go back to mediæval times when knights and lords fought for the conquest of territory and for supremacy over their neighbors and countrymen.

Having disputed virgin forests with wild beasts, and pampas with the Indian, subjugated nature, attracted, first from Africa and then from Europe, colored and white labor, drained the soil and disemboweled the earth—always struggling and conquering all—how would it be possible for the sons of such conquerors of old to accept the monotonous and sleepy life of the European *bourgeoisie*? How difficult it would be after the adventures of the ranch, the emotions of the trapper, the pride of the pioneer, to be satisfied with the ownership of a house on Fifth avenue or a villa at Newport; with no other excitement than Caruso's singing or Sarah Bernhardt's stage death, or a trip to Europe to collect antiques or works of art!

The struggle, therefore, has been pursued; factories and industries have sprung up and developed on such a big scale that even now old-time Europe fails to realize it. How, indeed, could it grasp the immensity of packing houses, the length of

petroleum pipe-lines, the height of skyscrapers, and the numberless array of conveyances? Has not even Niagara Falls been applied as a lever? And is it not a short time ago only that the idea of building a railway for transoceanic liners was abandoned? It is quite natural that, in the hands of people with such viewpoints, commerce and industry should also have assumed giant proportions, and that German *kartellen*, English *amalgamations* and French *syndicats* should have developed into the American Trusts, whose aim is "concentration" rather than "combination."

Besides commercial gain it is probable that another reason for such organizations may be found in the satisfaction of personal vanity. In a country where titles and distinctions are not allowed, except for women who marry foreigners, the prospect of being called a "king" may well become the dream of many a business man. This should explain the folly of certain attempts that have been made to monopolize goods which are not susceptible of being "cornered," and to amalgamate industries which are subject to competition. And compared with successful Trusts, how many hundred failures can be registered?

Taken on the whole, however, Trusts are not so harmful as their antagonists contend, and can indeed be of great use when properly organized and administered. The benefit of a great concern with an efficient staff, abundance of capital, opportunity to acquire experience, and facility to get information on the fluctuations both of buying and selling markets may result in such profits as to render any pressure on labor or consumers quite unnecessary. But if any wrong was to be feared for the general interest or freedom, there is a remedy which will prove a success in at least eight cases out of ten, namely, the reduction or abolition of import duties on any particular article artificially inflated in value. By this means no undue rise in prices could be maintained, and workmen who are now protectionists under the delusion that any fall of tariff would close the factories, would be the best controllers of prices for fear of loss of employment.

Any *bona fide* executive having and using such power would restrain the abuses of Trusts much better and more quickly than by legislative enactments or court actions.

As a matter of fact, although the anti-Trust policy has become the *leit motif* of all Democratic candidates for the past

fifteen years, and although Republican Presidents have promised to oppose such organizations, very little has been obtained against them, and in some cases, as that of the Standard Oil Company or of the Steel Trust, the law has consolidated their power even more than in the past.

After all, humanity has reached a point at which it is not likely to retrograde, and Trusts, with all their supposed or real sins, have pushed forward industry and introduced therein to the highest degree the scientific element. Trusts should undoubtedly be controlled, either by the Executive or, which would prove better, by the newly-formed "buyer leagues," thus opposing to each other the ancient terms of offer and demand, not in the anarchist way of olden times, but under more conscientious and reciprocal conditions.

A handwritten signature in cursive script, reading "Cassary". The signature is written in dark ink and features a long, sweeping underline that extends to the right.

# Editorial

## USEFULNESS OF CORPORATIONS.

*(New York Commercial.)*

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IN the indiscriminate abuse of large corporations which has been going on for several years the average citizen, as a potential small investor, is apt to lose sight of the fact that it is only through the formation of joint stock companies that he can participate in industrial investments. In order to compete successfully in the markets, a new manufacturing plant has to be built and equipped on such a scale that only a multi-millionaire or a thousand small investors can handle the project. In every way the introduction of joint stock corporations into the field of modern business has helped the man of limited means and the man who works with his hands.

Much of the development of the industries of this country would never have been even attempted had it not been possible for a number of men to combine together to share the risks of a venture in a new field. This is specially true of the development of mines and oil fields. Money has been lost in many cases, but the vast gain to the community at large from the opening up of new fields of industry by coöperative effort can hardly be overestimated.

Whether for better or for worse, the days when great industries could be developed by individual effort have passed. Take the telephone, for instance. That great invention would have been deprived of nearly all its usefulness had Bell been unable to secure the help of an army of small investors. Some of the small investors who backed the enterprise in its early stages with their modest contributions became wealthy, and deservedly so. No single capitalist would take the financial risk, and this gave the little man a chance. The same is true of the linotype and many other important inventions of recent years. This is also better for the inventor. Some of those who made the greatest

improvement in machinery for spinning cotton and wool a century or more ago starved to death; but in our day it will not be denied that Bell, Edison, Bessemer and others in their class have reaped fair rewards for their work.

Whenever one of these companies grows big it is dubbed a "trust" and becomes a target for the muckraker. Yet it really has enriched the world and has given the inventor an adequate reward for his genius. To take the telephone again as an example, it must be remembered that Alexander Graham Bell is only one of the many who have been made rich by their inventions in that field, and that the company has been more generous to those who invented improvements than any individual would have been.

Germany's progress in the industrial field within the last forty years is the wonder of the world today. Germany recognizes that the only way "to strike while the iron is hot" is through great combinations of capital, and the German law encourages the formation of what would be called "trusts" in this country in the manner described in a recent American consular report. The German government itself takes a direct interest in some of them—the Kali Syndicate, or potash trust, for instance. It is also interested in the great Krupp steel works, though the exact nature of this alliance has not been made public.

At the present time the development of Alaska is hopelessly handicapped by the failure to develop the coal areas known to exist in that territory. This work calls for the investment of large sums of money, but the popular clamor against corporations has apparently caused the government of this country to block the wheels of progress by withholding permission from those willing to risk the venture. Combinations in undue restraint of trade are and always have been illegal; but agitation and uncertainty regarding the law have made capital afraid to engage in new undertakings of importance and this country is now suffering from lack of enterprise.







ROBERT GRAU.

## THE INCREASED COST OF OPERA-GIVING.

BY ROBERT GRAU.

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THE cost of presenting Grand Opera to the American public has increased 500 per cent. during the last thirty years, and has now reached such colossal figures that it is a question whether a halt should not be called, even in this prosperous era.

In the seventies, when the impresarios were men of great ambition, but restricted as to their finances, the weekly "budget" came to about \$15,000, and for this total it was possible to present such an array of singers as Etelka Gerster, Anna Louise Cary, Signors Campanini, Galassi, Capoul and Maurel at a single performance.

When Colonel Mapleson came to America to show us how opera was given in London, the weekly outlay was increased to \$20,000, but even at this cost, then considered exceptional, Adelina Patti was included, and her two weekly appearances cost the impresario \$8,000. The results from Mapleson's efforts were varying, but he always had difficulty in meeting his obligations; it was he who said that the ultimate destination of an impresario was either the county jail or the poorhouse, and it is a fact not only that he died penniless, but his colleagues, Maretzek, Strakosch and Dr. Vivo, all died poor.

Strange as it may seem, however, the problem of Grand Opera was solved through increasing the cost of presenting it, and it was only through the "ideal cast" that the first dividend in the history of American Grand Opera was declared. This was in the second season of the Abbey and Grau *régime*, when an old opera, Gounod's "Faust," was rendered fourteen times in the last half of that season to audiences representing never less than ten thousand dollars at the box-office. The cast (and it may well have been regarded as "ideal") was as follows:

Faust, Jean de Reszke; Valentine, Jean La Salle; Mephistophiles, Edouard de Reszke; Marguerite, Emma Eames; Siebel, Sofia Scalchi.

The cost of presenting opera in that year had reached \$30,000 a week; it was increased, in 1899, to a total of \$50,000 when, at the Metropolitan Opera House, in one organization, were enrolled such artists as Mesdames Nellie Melba, Emma Calvé, Lillian Nordica, Emma Eames, Schumann-Heink, Eugénie Mantelli and Messrs. de Reszke, Pol Plançon, Saleza, Maurel, Scotti and several singers of great potency, whose names are hardly necessary to illustrate the calibre of performances given in that day.

At this period, however, the subscription at the opera house was not one-sixth what it is today, and yet the dividends were for several years between sixty and one hundred and fifty per cent. on the capital invested.

Another organization which cost Abbey and Grau \$40,000 a week to present was the one headed by Patti and Tamagno, which resulted in a profit at the end of the season of nearly \$100,000.

For the reader's information it may be stated that from the day the operatic problem was solved, up to the retirement of Mr. Grau, in 1904, Grand Opera was given on a basis of profit, and at the time of his demise Mr. Grau left a fortune of nearly half a million dollars, nearly all accumulated in the last few years of his life at the Metropolitan Opera House. Moreover, his successor, of whom it may be said that "he had his bed made for him," Herr Heinrich Conried, left a fortune amounting to nearly \$400,000, which must have been made at the Metropolitan, because previous to his advent there he was known to have been in financial straits, due to his operations in the Light Opera field. During Herr Conried's *régime* the cost of presenting opera had reached a total of \$45,000 a week.

Oscar Hammerstein entered on the scene in the second year of Herr Conried's consulship of the Metropolitan and the incentive he provided by his efforts caused a still further increase in the outlay of his rivals, who now required gross receipts of \$50,000 each seven days in order to avoid deficits. While Mr. Hammerstein was committed to an expenditure of \$40,000 a week at the Manhattan, and in the last year of his *régime*, when he maintained a double organization for his two opera houses

(in New York and in Philadelphia), it required a total income of \$100,000 to conduct them upon a paying basis.

But Grand Opera was not really profitable to him at any time, and the deficits at the Metropolitan, after Mr. Conried's death, were of prodigious size. Nevertheless the cost of presenting it kept on increasing each year, until today, despite the community of interest which prevails between the directors of the opera houses in Chicago, Philadelphia and Boston, and the New York institution the present weekly cost of operation at the Metropolitan is in excess of \$60,000, and this does not take account of the very large sum paid to Oscar Hammerstein to eliminate him from operatic endeavor in this country for several years to come.

The past season has, however, provided much interesting information, in that for the first time in American history Grand Opera has been presented in four opera houses in as many important cities, free from discord, with the entire risk assumed by men of public spirit who have eliminated perhaps for evermore the old-time impresario and his vicissitudes.

Chicago has responded well in the first two years of its advent into the list of permanent opera houses, and although the weekly cost of presenting opera in that city is nearly as large as in New York, the season is to be extended there next year and perhaps doubled in length. In Philadelphia, however, where Mr. Hammerstein "came a cropper," the first season of opera in the new opera house has not been successful, while in Boston the procedure by which the scale of prices was increased to the New York schedule, without a corresponding uplift in the performances, has resulted in much dissatisfaction, but there is nothing to indicate that the next season will not see all four opera houses in operation without the least suggestion of any retrograde movement.

What are the causes of the increased cost of presenting Grand Opera? They are many, but the principal one is due to the remarkable financial results which are now obtained by the principal stars of the opera, when they go on concert tours. And this is so true, that it is difficult to imagine how the powers that be can call a halt, for \$5.00 a seat opera can only be tenable with the presentation of the world's greatest and most celebrated singers in the casts. Each year the number available grows less, and stellar lights do not appear on the horizon as readily as they vanish.

Mme. Tetrizzini is no longer available solely for opera, because she can draw houses in concert ranging from \$5,000 to \$8,000 a night. Melba can draw \$6,000 houses more often than not in concert, and Emma Calvé has for years earned far more than she could get in opera, and in her case, even if the income were not so large, she would prefer the concert field, for it is less fatiguing, and Calvé's health has been none too good.

Schumann-Heink considers it a poor week when she does not bank \$5,000. Who would pay her that sum for opera, for is it not recalled that the great contralto came here at a weekly salary of \$250? And while this was greatly increased after her success, she never was paid in opera one-fifth what she earns today with her song recitals.

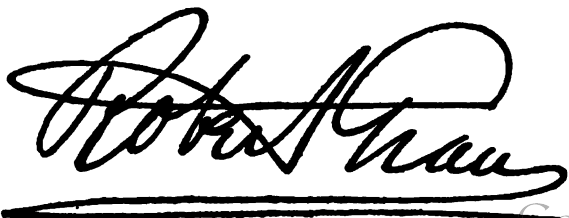
The same may be said of others, and it is certain that Sembrich, Nordica, Eames, Bonci and others are practically lost to Grand Opera while they can go about the country at the head of their own enterprise and amass vast fortunes in doing so.

Of the singers yet remaining to our opera directors, all are in demand in the concert field to the extent that such a thing as a reduction in their honorarium is out of the question.

This state of affairs is wholly due to the fact that our opera companies confine their visits each year to a very few cities, leaving the rest of the country without musical treats which they must have and are willing to pay for.

When the day comes (and it is near at hand) when all cities of 250,000 have their own opera houses and organizations, as is the case in continental Europe, then will come also an end to the vogue of song recitals at least in those cities where Grand Opera is available.

A word here will not be out of place as to the importance of some of the cities of smaller size. It is a fact that to this day Atlanta, Ga., holds the record for the largest receipts for a single operatic performance in this country, and also for the largest receipts for a week of opera. Caruso in "Aida" drew \$18,600 in one night, and the total in that city for one week was in excess of \$80,000, which is in fact the world's record. Pittsburg has paid \$60,000 for a week of opera, and St. Paul paid \$62,000 for a similar period.

A large, stylized handwritten signature, likely "Robert Shaw", written in dark ink. The signature is fluid and cursive, with a long horizontal line extending from the end of the name.





**WILLIAM SULZER,**  
Congressman from the Tenth District of New York.

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## WHY THE RUSSIAN TREATY SHOULD BE ABROGATED.

BY WILLIAM SULZER.

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TREATIES between nations should be free from ambiguity regarding the rights of their respective citizens to visit and sojourn in the country of each other, and should admit of no discrimination in favor of some citizens and against other citizens of either of the high contracting parties; and it is customary among the nations of the world to recognize without discrimination the passports of each, when duly issued and authenticated, to their respective citizens who desire to sojourn in other countries.

The question now before the Congress of the United States, therefore, regarding the "Russian passport question" resolves itself into this: Has Russia by the treaty of 1832 agreed to recognize American passports without discrimination on account of race or religion?

To determine the question it is necessary to read the provision in the treaty of 1832 between the United States and Russia. Article 1 of that treaty reads as follows:

"There shall be between the territories of the high contracting parties a reciprocal liberty of commerce and navigation. The inhabitants of their respective States shall mutually have liberty to enter the ports, places and rivers of the territories of each party wherever foreign commerce is permitted. They shall be at liberty to sojourn and reside in all parts whatsoever of said territories, in order to attend to their affairs, and they shall enjoy, to that effect, the same security and protection as natives of the country wherein they reside."

This provision of the treaty seems to be plain and clear, and gives citizens of the United States—

"the right to sojourn and reside in all parts of Russia in order to attend to their affairs, and they shall enjoy the same security and protection as natives of the country wherein they reside."



A treaty is the supreme law of the land, and Mr. Justice Field, of the United States Supreme Court, laid down the construction of treaties in *Geofroy v. Riggs* (133 U. S., 271), in which he said:

"It is a general principle of construction with respect to treaties that they shall be liberally construed, so as to carry out the apparent intent of the parties to secure equality and reciprocity between them. As they are contracts between independent nations, in their construction, words are to be taken in their ordinary meaning, as understood in the public law of nations, and not in any artificial or special sense impressed upon by local law, unless such restricted sense is clearly intended. And it has been held by this court that where a treaty admits of two constructions, one restrictive of rights that may be claimed under it and the other favorable to them, the latter is to be preferred."

In view of this it seems evident to me, and it must be to every sensible and fair-minded person, that when the treaty with Russia was concluded it was the intention of Russia and the United States that the rights granted by Article I of that treaty should extend equally to every citizen of this country without discrimination of any kind whatsoever.

This being so, it is apparent that Russia has for years continually violated the provisions of the treaty by refusing to recognize, on account of race or religion, passports granted to American citizens.

This is not a Jewish question. It is an American question. It involves a great principle. It affects the rights of all American citizens. Russia not only refuses to recognize American passports held by Jews on account of their race or their religion, but she also refuses to recognize American passports held by Baptist missionaries, Catholic priests, and Presbyterian divines on account of their religious belief.

The Government of the United States declares as a fundamental principle that all men are equal before the law, regardless of race or religion, and it makes no distinction based on the creeds or the birthplaces of its citizens in this connection, nor can it consistently permit such distinctions to be made by a foreign power. We solemnly assert that the rights of our citizens at home or abroad shall not be impaired on account of race or religion.

Not the religion, nor the race of a person, but his American citizenship is the true test of the treatment he shall receive and the rights he shall enjoy under the law at home and abroad. This is fundamental. We must adhere to it tenaciously.

Freedom of religious belief—the right to worship our Maker according to the dictates of our conscience—is one of the corner stones of our broad institutions, and so jealous of this liberty were the fathers that they wrote in the Federal Constitution—

“Congress shall make no law respecting the establishment of religion or prohibiting the free exercise thereof.”

We must maintain this great principle of religious freedom inviolate forever.

We declare that the Government of the United States has carefully lived up to its treaty obligations with Russia. We have granted to every Russian coming to this country all the rights stipulated in the treaty, irrespective of race or religion. That is our construction of the treaty of 1832 and in its conclusion demonstrates the intention of the United States Government.

The refusal of Russia to recognize American passports on account of race and religion is in my judgment, a clear violation of the treaty of 1832, and the remaining question is one of remedy only.

What action should the Congress of the United States take in this matter? I have given much thought to this inquiry and have finally concluded that the best action we can take to remedy this injustice to American citizens is to serve the usual official notice of twelve months on Russia that we desire to abrogate the treaty of 1832, and that at the expiration of the notice, given in accordance with the terms of the treaty, it shall be null and void.

We must be true to the great principles of justice and freedom and equality on which our Government is founded. We can not connive at discrimination of any American citizen on account of his race or his religion, nor admit any foreign power to ostracize him or discriminate against him for these reasons. To do so is an insult to every American.

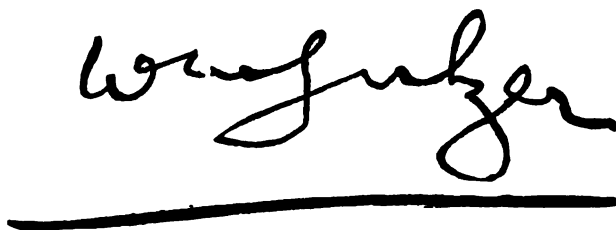
Either Russia must recognize American passports, without discrimination on account of race or religion, or the Russian treaty must be abrogated. Our self-respect demands it; the memories of the past dictate it; our hope for the future commands it. No other course is open to the United States, and for this Government to submit longer to the violation by Russia of the treaty is a humiliation to our sense of justice and to our love for our fellow man that merits the condemnation of every patriotic American.

The Russian treaty must be terminated. The people are

aroused about the matter as they never have been before over the question, and the time for action by the Congress has come.

There can be no arbitration of this elemental principle of our Government; there must be no more delay; the matter must be settled now for all time, a new treaty must be arranged in which Russia can find no loophole to enable her to discriminate against any class of American citizens on account of race or religion.

We are a patient and long-suffering people where the question involved does not touch us on our tenderest spot—our pocket-books; but the awakening has come, and with it a keen realization of the affronts we have suffered for years at the hands of a Government notorious for its lack of human sympathy.



# Editorial

## THE JEW IN RUSSIA.

(*New York Evening Post.*)

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WE have pointed out on several occasions how the Russian Government, in arguing that the recognition of foreign passports in the hands of Jewish travelers is an internal question that concerns itself alone, has given away its own case. Common sense demands: How can a subject so plainly of international import as the right of passing from one country to another be made a matter of internal policy only? If the State Department cannot take up with the Russian Foreign Office the refusal to honor an American passport, what is there that international diplomacy is at liberty to discuss? To this Russia's reply has been that her own Jewish problem is such a peculiarly difficult one that any dealings affecting people of the Jewish faith must become a matter to her of serious domestic concern. The futility of such an argument as a rejoinder to the just claims of another nation does not need to be pointed out. It only remains to be shown how senseless is the policy of Jewish exclusion when viewed from the standpoint of Russia's own best interests.

Russia's repressive policy towards the Jews has been defended upon economic grounds and also upon political grounds. The first is the older argument. Profound patriots of the orthodox Russian type long ago discovered that the simple, untutored Russian peasant must not be left unprotected against the Jews with their superior mental endowment, energy, and thrift. Confronted with the problem of two races on a different cultural level, the typical Russian solution was not to raise the lower race, but to crush down the superior one. On that principle is based the entire mass of restrictive legislation by which the Jews have been pent up within a single corner of the empire, hampered in the pursuit of trade and the professions, and reduced to a minute

percentage in the universities. The stupid iniquity of such a policy need not be expatiated upon here. It is sufficient to point out that, far from constituting a parasite class, the vast number of Russian Jews live under conditions of abject poverty closely approximating that of the Russian peasant. Given freedom of opportunity, the Jewish workman would probably carry into every city of the Empire that new industrialism which Russia's rulers are so set upon developing. This is aside from the general argument that the Russian Government would find it difficult to look abroad and point out a nation which has fallen into economic ruin through granting equal opportunity to its Jewish citizens.

After treating the Jew for several generations as an economic peril, the Russian Government discovered that he was a political peril. There is no denying that the Jews have played an important part in the progressive movement in Russia. Undoubtedly they were prominent during the revolutionary upheaval of half a dozen years ago. But the Jews, in throwing themselves ardently into the liberation movement, did only what every other oppressed nationality within the Russian Empire did. The Armenians in the Caucasus, the Lettish element in the Baltic provinces, the Poles, the people of Finland, joined in the uprising which obtained for Russia the flicker of liberty and constitutional government she now possesses. Thus it was demonstrated once more that repression can lead only to revolution. The Austro-Hungarian monarchy, which in proportion to the total number of inhabitants has probably as large a Jewish population as Russia, has never found the Jews a peril to peace, order, and prosperity. The great question at stake is whether the Russian Government really hopes to go on forever sweeping back the tide of modern enlightenment. Bourbonism is slow to learn, else Russia would have learned before this the hopelessness of her task. She would have recognized the significance of the great change that has come over the Russian peasant himself. If that simple son of nature has not been proof against the revolutionary infection, as the history of the last few years has shown, how absurd it is to pick out a single element in the population and bear down upon that as the sole cause and instrument of danger to the autocracy.

The hallmark of Russia's repressive policies towards other nationalities as well as the Jews is stupidity and futility. Despotism has only one excuse—success. But, as a matter of fact, the Russian autocratic system is a creaky, blundering machine.

As applied to the question in hand, for instance, what is there the Russian Government has to fear from the presence of foreign Jews within its boundaries? Would the American passport be utilized by Jewish revolutionists for their own purposes? Revolutionists, agitators and emissaries have never found much difficulty in entering the country. It is precisely against travelers engaged in legitimate business that the passport system most operates. American citizens of the Jewish faith whose interests demanded their presence in Russia have been compelled to secure a *visé* for their passports under false pretences, or have entered on other people's passports, or have made use of that omnipotent argument in Russian officialdom—bribery. It is only against those who would not condescend to such subterfuges that the rule of discrimination has operated. It is quite like the Russia of fifty years ago, when Alexander Herzen was compelled to publish his liberal journal, *The Bell*, in Paris or London, and *The Bell* was read everywhere in Russia and found its way unfailingly to the Czar's table.

So it is quite in accordance with the good old Russian tradition that, instead of holding the door open to the traveler from abroad, and recognizing in the foreigner's passport a guarantee of good behavior as well as a card of admission, the Czar's Government prefers to let the undesirable element enter by the usual subterranean means, and excludes those whose mission is unobjectionable and aboveboard. Revolutionary literature from abroad finds no difficulty in entering the country, but a foreign newspaper man, prepared to study the Russian question fairly, is excluded, if he happens to be of the proscribed faith. This is not only intolerable, it is ridiculous. It is quite in line with the attitude of the conservative Russian newspapers on the passport question. To hear them talk one would imagine that the very life of the Empire depended upon the non-admission of Jews into Russia, and that ages must pass before such a thing is conceivable. And yet it is certain that in the course of a very few years there will not only be a change in Russia's passport regulations, but a change in her entire Jewish policy. Jewish emancipation has already been brought up in the Duma, and has been defeated by a slim majority. Why, then, this dreadful row? Why declare passionately that you never, never will consent to what you have almost made up your mind to accept? The answer is still the same: Russian stupidity.

## BUILDING CONSTRUCTION AND FIRE PREVENTION.

BY WILLIAM L. RANSOM.

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AS WAS to be expected, the conflagration in Washington Place, New York City, on March 25, 1911, which caused the loss of nearly 150 lives under circumstances emphasizing the inadequacy of existing laws or of the machinery of their enforcement, turned much of the best thought of the state to the framing of proper remedial legislation, that such disasters might be made hereafter impossible. Substantial progress has already been made in that direction, and further results along effective lines are close at hand. Without the purpose to pass judgment upon any current opinion that in general, the last New York legislative session did not do much, constructively, that can be characterized as of public rather than private advantage, it may, in fairness, be pointed out that on this vital matter of fire-prevention legislation, the enactments of the administration headed by John A. Dix will, when the work of the last session is supplemented by that of the session which convenes in January, in all probability serve as models for the legislatures of other states. As to the general record made by the last legislative session, the verdict of the electorate on November 7th will doubtless be accepted as more decisive than an individual estimate based upon any one phase of legislative action, but a fair measure of as yet unawarded credit is, at all events, due to these legislative leaders who have dealt with this particular subject in so conscientious and commendable a mood, as well as to the civic organizations which have tactfully kept the matter from assuming purely political bearings and have preserved it for consideration at once scientific, expert, and most thorough.

It is the purpose of the present article briefly to summarize the history and purport of the various legislative proposals which may be attributed to the public sentiment crystallized by the Washing-



WILLIAM L. RANSOM.



1901

ton Place holocaust. It would have been both easy and natural for a legislative body, in the face of the public indignation aroused by that tragedy, to have given way to the hysterical, and to have placed on the statute books the hasty and ill-considered products of an angry public opinion. It would have been easy to suggest measures of legislative reprisal which would have commanded public approval, although at very great peril to the manufacturing and business growth of the metropolis and of no real benefit to any one. Fortunately the recent legislature listened to no voice that urged haste in half-way measures. Fifty or more bills, embodying, in some cases, the views of their authors and, in others, the recommendations of trade or civic organizations, were introduced at Albany as covering some phase of desired legislation on this subject. The great majority of them, it may be truly said, were more than ordinarily well considered and carefully drawn, although almost without exception, each purported to deal with but a segment or phase of the entire subject, with no means available for the articulating of these numerous proposals into a harmonious and an effectual legislative programme that would do more than hamper builders and harass employers.

This fact in itself presented a situation of some legislative difficulty. Furthermore, in nearly all the discussion on fire-prevention legislation, at Albany, and in New York City, as well, there was general recognition that the proper scope of further legislation was to *prevent conflagrations*, rather than to afford more efficient means of fire-fighting, after the flames have been permitted to gain considerable headway. "Fire prevention" rather than "fire extinguishment" has been sought, and for this reason, the question immediately became the far-reaching one of building construction, in which so many important public as well as private interests were seen to be involved as to emphasize the need for conservative as well as comprehensive and carefully considered action. Accordingly it seemed best that, aside from the immediate enactment of three or more bills dealing with the administrative side of the enforcement of existing laws, the whole matter of the requirements for building construction to make future structures effectually "fireproof," should be taken up, scientifically and comprehensively, and the numerous unarticulated proposals given an expert examination in the light of the testimony and recommendations of architects, builders, trades-unionists, property owners, fire department officials, and other persons with

a direct, first-hand knowledge of the matters under consideration.

The outcome was the Wagner-Smith Commission, whose sessions are in progress as this article is written, having been delayed by the unusual length of the reconvened legislative session and the illness of Senator Robert F. Wagner, chairman of the investigating commission and author of the resolution which brought it into being. The creation of the Wagner-Smith Commission was, it may be said, most strongly desired and urged by the Committee of Safety, an admirable organization of public-spirited citizens which had its origin in a great mass-meeting in the Metropolitan Opera House, New York City, on the second Sunday following the Washington Place conflagration. This Committee was constituted, with the backing of private funds philanthropically contributed, as a permanent and continuously active body, to see to it that the proper legislation for fire prevention is enacted by the State Legislature and at all times enforced. The first executive head of this Committee of Safety was the Honorable Henry L. Stimson, now Secretary of War, his successor being Mr. Henry Morgenthau. The membership includes Mr. Gifford Pinchot, Mr. Eugene A. Philbin, Mr. William Jay Schieffelin, Mr. P. Tecumseh Sherman, Mr. Roswell D. Tompkins, Miss Lillian D. Wald, the Very Reverend Monsignor William J. White, Rabbi Stephen S. Wise, Mr. William M. Kingsley, Mr. Henry L. Stimson, Mr. Thomas A. Buckner, Mr. John Claflin, Mr. Otto M. Eidlitz, Mr. Homer Folks, Mr. James L. Gernon, Mr. John Mitchell, Mrs. Frederick Nathan, Mr. Amos Pinchot, Mr. Leopold Plaut, Mr. Henry Morgenthau, Mr. Peter J. Brady, Mr. Joseph P. Cotton, Jr., Mr. R. Bayard Cutting, Miss Mary E. Dreier, Mr. Daniel Harris, Mr. John A. Kingsbury, Miss Anne T. Morgan, Mr. Henry Moskowitz, Mr. George W. Perkins, and others whose names are synonymous with public-spirited activity. Dr. Charles H. Keyes as executive secretary has been effective in the legislative work of the organization, which has become a very positive influence for the enforcement of existing laws and the enactment of new ones.

The Wagner resolution, as adopted with the backing of public-spirited citizens actively interested in the subject, provided for a commission of nine members, of whom two should be senators, three should be assemblymen, and four should be members appointed by the Governor, to "investigate as speedily as possible the existing conditions under which manufacture is carried on in so-called loft buildings in cities of the first and second class in the

state ..... to the end, among other things, that such remedial legislation may be enacted as will eliminate existing peril to the lives and health of operatives and other occupants in existing or new structures." The commission is also empowered to investigate conditions "in other cities of the state and country, and elsewhere; if it shall so determine," and is required to report its proceedings, with its recommendations, to the legislature on or before February 15, 1912.

The members of the investigating commission presided over by Senator Wagner of New York are, in addition to its chairman, the following: Senator Charles M. Hamilton, of Chautauqua; Assemblymen Alfred E. Smith, of New York, Vice-Chairman, Edward D. Jackson of Buffalo, and Cyrus E. Phillips of Rochester, together with Miss Mary E. Dreier of Brooklyn, Mr. Simon Brentano of New York, Mr. Robert E. Dowling of New York, and Mr. Samuel Gompers, president of the American Federation of Labor. The committee designated Mr. Abraham I. Elkus of New York as its counsel, and Mr. Frank A. Tierney of Albany as Secretary. The Committee of Safety and its experts, the various organizations of architects, engineers, and builders, the various trades-unions, and other persons in a position to aid the commission with desired data and practical suggestions, are taking a close and continuous interest in the work of the commission, whose recommendations are likely to be monumental in their scope.

The recent legislature did not, however, pause at the creation of an investigating commission to report next year. The Sullivan-Hoey bill (Senate Int. No. 270; Assembly Int. No. 400) creating the new office of State Fire Marshal, became a law on June 26, 1911, with the signature of Governor Dix, as Chapter 451 of the Laws of 1911. The Governor promptly appointed to the new position Mr. John F. Ahearn, one of the most experienced and capable of the Deputy Chiefs of the New York Fire Department. The new State Fire Marshal receives a salary of \$4,000, and is given a staff of deputies and assistants. Each fire department chief and the clerk of each city, village and organized town in the state, aside from New York City, are also made, for the purposes of the Act, assistants of the State Fire Marshal and subject to his control. Every fire occurring in the state is required to be fully reported to the State Fire Marshal within 60 days. The assistants to the marshal are required to investigate and report the causes of all fires. The new marshal is given comprehensive powers of in-

vestigation and inspection, but apparently as yet, little more, owing to the manifest unwillingness of the legislature to interfere too sweepingly with local autonomy in fire preventive measures. His power and that of his assistants to remedy conditions, except by the compelling force of publicity, is limited to the following circumstances (the italics not being in the law as enacted) :

"Whenever any of said officers shall find any building or other structure which, *for want of repairs or by reason of age or dilapidated condition or for any other cause*, is especially liable to fire and which is so situated as to endanger other property, and whenever such officer shall find in any building combustible or explosive matter or inflammable conditions dangerous to the safety of such buildings, he or they shall order the same to be removed or remedied."

The creation of the office of State Fire Marshal was recommended by the Merritt committee, which inquired somewhat into the affairs of fire insurance companies in 1910. The new office will in all probability do much to bring into closer relation the various municipal fire-fighting agencies throughout the state, and will at least make available for future legislation a valuable quantity of data not now obtainable from official sources.

Another measure which received the approval of the legislature, and became law, relates wholly to New York City and may be regarded as in many ways the metropolitan complement of the State Fire Marshal act. The Sullivan-Hoey bill (Senate Int. No. 1906; Assembly Int. No. 1565) amends certain sections of the Greater New York Charter by adding eight new sections which provide for a fire bureau in the New York City fire department, to have charge of the extinguishment of fires, at the head of which bureau shall be the fire chief, and also for a bureau of fire prevention, under the direction of the Fire Commissioner, who through the bureau last named is given added powers for the enforcement of all laws and ordinances relative to the prevention of fires, the storage and use of explosives, the maintenance of fire escapes, fire alarms, automatic sprinklers, exits from factories and public places, and like objects for official safeguarding consideration.

The Sullivan-Hoey bill was criticized by the Citizens Union and some interested property holders on the ground that, in the form to which it was amended for final passage, it bestowed upon the Fire Commissioner the power to make and enforce arbitrary orders without properly securing to the property owners affected a due

judicial hearing. In this respect the measure which became law was much less desirable than the McManus-Herrick bill (Senate Int. No. 1464; Assembly Int. No. 1585), which also passed the legislature but "was vetoed by the Mayor," as stated by the Citizens Union legislative committee in its annual report, "apparently because of his antagonism to some of its proponents." The meaning of this statement is perhaps indicated by the fact that the substantive provisions of the bill had their origin in the recommendations of a commission constituted by Mr. Hearst's "New York American" immediately following the Washington Place fire, this unofficial but expert body being composed of former Fire-Chief Edward F. Croker, former Labor Commissioner P. Tecumseh Sherman, Mr. Ernest Flagg, an architect who is the especial champion of "fireproof construction," and Mr. William Archer, a well-known contractor, with Mr. Clarence J. Shearn, Mr. Hearst's personal attorney, as its counsel. The procedural provisions for the determination and enforcement of orders against unsafe structures, as contained in this bill, were understood to have been drawn by Mr. Walter F. Lindner, attorney for the Title Guarantee and Trust Company and probably the city's foremost expert on special statutory proceedings affecting realty. It may be regarded as most unfortunate that the concededly excellent procedural provisions of the bill were prevented from becoming law, after they had passed the legislature, and especially unfortunate if this disapproval was due to any inability of the Mayor, because of the bill's origin, to consider the measure on its merits.

A word should be said in this connection as to the consideration of the subject by the Board of Aldermen of the Greater City. Following the Asch conflagration, the Buildings Committee of that Board, headed by Mr. William P. Kenneally, one of the Vice-Presidents of the New York State Federation of Labor and the Tammany representative of the district in which Mr. Charles F. Murphy resides, began public hearings upon a series of proposed amendments to the Building Code, in the interests of better safeguards against the spread of fire. These amendments had been drafted by the expert Croker-Flagg-Sherman-Archer commission already referred to, and had enlisted powerful support from the trades-union organizations of the city. The two most salient features of these proposals were that of requiring exterior spiral fire-escapes or "towers," so encased as to be flame-proof and panic-proof, and the taking of marked steps in the direction of the elimi-

nation of wood and other inflammable material from the construction of so-called "fire-proof" buildings. The generally excellent recommendations of the Croker-Flagg-Sherman-Archer commission were not, however, to find an easy avenue to adoption by the Aldermen. The temptation to "play politics" under cover of the aroused public sentiment was strong, and soon the whole bitterly fought Building Code feud, which created a scandal in the closing year of the McClellan administration, was renewed, the issue becoming the broad one of the whole metropolitan Building Code, an issue in which the more immediate need of better safeguards against fire was lost sight of in the clash of rival interests favoring particular materials or types of construction. Finally the Tammany majority in the Buildings Committee reported a Code which was said to discriminate sharply against certain "interests" not favored by the "organization" and to do little or nothing for more truly *fire-proof* construction of loft and factory buildings. A "minority" Code, purporting to embody many of the advanced ideas of Mr. Ernest Flagg, architect of the Singer building and other structures whose "fire-proof" qualities have been attested by the arresting of incipient conflagrations, was introduced by Alderman Cortlandt Nicoll, of the Republican side of the Chamber. At this juncture, Mayor Gaynor pointedly let the proponents of the Kenneally Code understand that he would veto any document which contained evidences of any "job," and so the "jamming through" of a new Code went over, until after election, according to some persons, or until the report of the Wagner-Smith commission should come in, as is not only more proper, but indeed more probable, in the light of the election results. It is undoubtedly well that the *emphasis*, in any new legislation, at Albany or by the municipal bodies, shall be on the *safety* of lives in and property structures built in conformity thereto. Unfortunately the emphasis, in all Building Code revision hitherto, has been upon the rival interests of contractors, building owners and material men.

It is perhaps too early as yet to estimate accurately how much may be expected from the recommendations of the Wagner-Smith Commission, but there is promise of much. As indicated in the address of Mr. Elkus at the opening of the inquiry, the scope would properly include the following subjects:

"First—Hazard to life because of fire: Covering such matters as fire prevention, inadequate fire escapes and exits, number of persons employed in factories and lofts, arrangement of machinery, fire drill, etc.

"Second—Accident prevention: Guarding of machinery, proper and adequate inspection of factories and manufacturing establishments.

"Third—Danger to life and health because of unsanitary conditions: ventilation, lighting, seating arrangements, hours of labor, etc.

"Fourth—Occupational diseases: Industrial consumption, lead poisoning, bone disease, etc.

"Fifth—An examination of the present statutes and ordinances that deal with or relate to the foregoing matters, and to what extent the present laws are enforced."

It is understood, however, that only the subjects under "First," above, will be reported upon by the commission on the prescribed date in February. In addition to submitting a comprehensive code of legislation to protect life from fire hazards, the commission will probably recommend that another tribunal be constituted by the legislature to pursue the other subjects indicated above, to which the present commission has been unable to give adequate attention. The continuance of the commission for that purpose, perhaps with the addition of one or more Republican Assemblymen to represent the changed complexion of the lower house of the legislature, is said to be likely.

Upon the subject of fire prevention legislation, which will first be reported on, however, the testimony so far taken before the commission indicates a probable line of effectual recommendations. Two *facts*, in the nature of axioms or fundamentals, have been attested alike by experts in fire suppression, experts in building construction, and experts in modern industrial organization. The *first* of these considerations is that, even under the present standards of construction, "fireproof" *buildings* are substantially "fireproof," in the sense that a conflagration rarely does serious injury to the building itself. The flames may rage from room to room and floor to floor; doors, partitions and all interior fittings, as well as contents, may char and be consumed and some or many of the occupants lose their lives; but the four walls and frame-work, *i. e.*, the organic structure, of the building, usually come through the conflagration intact. *Lives* are lost even when *walls* stand. It is therefore the combustion of *contents*, not damage to the *buildings* themselves that makes fire losses in the United States so heavy, in proportion to the amount spent in new construction. With these facts before it, so terribly emphasized by the quickness of the restoration of the Asch building after the lives of its inmates had gone out, it seems likely that legislation will be sought which will make it impossible for a fire once started to course, virtually un-



checked, from room to room and from floor to floor of a building whose *walls* are fireproof—in other words, to make “fireproof buildings,” under the Building Code, also “*death-proof*” and “*conflagration-proof*.”

The *second* element above referred to as emphasized by the testimony already taken, is that any new legislation should promptly take into account the fact that under present-day conditions of industrial employment, and also very often under metropolitan conditions of residence in buildings housing large numbers of persons, fire-escapes and means of emergency exit can not, as a practical matter, be provided, which will with certainty afford to all the occupants of a modern building the means of immediate and safe descent to the street. Still less possible is any saving of *contents* of buildings through removing them to the street or to adjacent structures. Future construction must be so required that the starting up of flames in one room of a building need not make imperative the instantaneous exit therefrom of all persons employed in the building, or even on the floor where the fire starts. Means of safety, both for persons and property, must be secured *in the building* and even on the floor where the fire starts, by making impossible the instantaneous converting of stairways, doors, elevator shafts, etc., into flues for the flames, and also preventing, through the application of the “bulk-head” principle used in ship-building, the rapid spread of flames from room to room and from floor to floor. Especially in high and populous tenanted structures, fire-escapes, even of the most approved kind, can hardly be provided sufficient to enable all occupants to reach the ground safely before the rush of flames spreads a panic which means death to many.

Even if, however, all the *occupants* could be got out safely and in time there is no reason why the *contents* should be left to be consumed. If the Wagner-Smith commission carries out the advice of its experts and the urgent wishes of the trades-union representatives appearing before it, the report will contain recommendations which will afford to both persons and property adequate protection *in the building*, by making the construction *really* “fireproof,” i. e., “*death-proof*,” and “*conflagration-proof*,” through providing for the confining of the flames to a limited area within which to “burn themselves out” with consuming such contents as are not removed to safety behind doors and partitions as effectually fire-resisting as the walls themselves. As former Fire Chief Croker pointed out at the first meeting of the Commission, all

stairways, stairway-doors, room-doors, elevator shafts, partitions and the like, should be made absolutely fire-resisting, for about them a fire is hottest, and all inflammable material should be eliminated from their construction.

In this connection, it should fairly be said that either in the report of the Wagner Commission or in the subsequent consideration of the subject by a Board of Aldermen bent on a real revision of Building Code provisions, the necessity for a definite and drastic stand as to fireproof construction is likely to be squarely faced, no matter what contractors nor what material men such an attitude may hit. Not *all* materials nor *all* types of construction may safely be permitted under the guise of regulation, and sooner or later the unfit must be drastically excluded, no matter what purveyors of such material and no matter what architects and contractors are unfavorably affected thereby. So far it has been easy to "scare off" any such action by raising a cry of "special interests," and arousing public opinion by the representation that the Tammany organization was seeking to "put over" something for a favored set of contractors or material men. Probably such an outcry will be less effective when raised against the action of a Fusion Building Committee, headed by a lawyer of character and ability, such as Mr. Ralph Folks, who will succeed Alderman Kenneally as the head of that committee in the new board.

The history of the public agitation for adequate legislation as a result of the Asch place tragedy, is, so far as regards external appearances, typical of such matters. When nearly 150 girls and young men in the factory of the Triangle Waist Company met death in raging flames or jumped to a more merciful fate on the pavements below, the city and the state were profoundly stirred by a demand for adequate action. Great public mass-meetings were held, and many thousands of men and women, one rainy March afternoon, passed in solemn procession through the streets where death had befallen their comrades. The demand was then emphatic, from all quarters, that something—anything—be done to prevent the recurrence of such a disaster. Seven months later, the Wagner-Smith commission, the most tangible result of that agitation, began its sessions at the New York City Hall, and there were present seven of the nine members of the commission, three lawyers acting as counsel, two paid experts, and a dozen newspapermen—just twenty-two men and two women. The marching thou-

sands of that Sabbath procession, the angry eloquence of the public assemblies, were apparently unrepresented in that subsequent scene. Yet that superficial conclusion would be far too hasty. In a very fundamental and effectual way, the militant public sentiment of the previous March had been crystallized into a Committee of Safety, which in large measure had brought this commission into being and stood ready to assist in a very substantial way to make its deliberations effective. The members of the commission and its vigilant counsel seem to have realized that they represent the public opinion so manifest earlier in the year, and that this is the city's way of committing to the deliberate consideration of experts the formulating and carrying out of measures upon which the public conscience has resolved.

Wm L. Ransom  
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# Editorial

## FIRE PREVENTION, LIFE PROTECTION.

(*Providence Tribune.*)

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As the coroner's jury which held the inquest on the Washington Place fire in New York, in which more than a hundred persons lost their lives, was composed of men having special knowledge of building conditions, its verdict possesses special value not only for the people of New York, but for others, since the same dangerous conditions that exist in that city are found, in a larger or smaller way, in many cities.

For some of the loss of life the jury fixes responsibility on the already indicted proprietors of the waist factory, holding them blameworthy for the locking of the doors which prevented the escape of some of the workers and for the crowded condition of the factory floor which left passages to the stairs and the elevator only thirteen and a quarter and sixteen inches wide. The jury also finds that defects of the present laws are responsible for the catastrophe and makes a number of suggestions, not novel, for strengthening them.

But the more significant, though not at all, surprising, feature of the verdict is the jury's inability to determine that any one department of the city government was responsible clearly and solely for the calamity; and there is unquestionable propriety, therefore, in the recommendation that this state of affairs shall be remedied. It is a recommendation which applies also in doubtless many other cities. Here in Providence, for example, when inquiries were made after the New York fire it was found that there were not a few buildings here which were not complying with the laws for fire prevention and life protection; and yet the responsibility for that perilous state of affairs seemed to be the theoretical rather than actual. At any rate it was not put definitely on any man or men.

Now what the jury finds is needed in New York is needed also in Providence and doubtless in many other cities—namely, after a proper system of requirement is framed and an effective system of inspection is established, the provision of an efficient mode of enforcing requirements. It can never amount to anything, obviously, to prescribe most thorough precautions and yet have no power immediately and completely to secure their adoption.

There should be power in some responsible official to close buildings at once in which there is found a non-compliance with orders. That would be a law with teeth in it indeed. And another very much-needed requirement is that there should be fire drills in every building where the employment of many persons is allowed. The general purpose to prevent fire, to put out fire promptly and to provide for the escape of those exposed to fire can, in any city, be best and most surely served by the establishment and exercise of the power to close buildings when compliance with legal precautionary requirements is either refused or neglected.





OSCAR P. AUSTIN,  
Chief of the Bureau of Statistics, Department of  
Commerce and Labor.

## THE UNITED STATES AS A COMMERCIAL POWER.

By OSCAR P. AUSTIN.

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THE United States maintains, in the year 1911, its high rank among the commercial nations of the world. Its exports for the first time passed the two billion dollar line, and while the imports fell slightly below those of last year, the record of 1911 was larger than any other year except 1910, when the importation of certain classes of merchandise was abnormally large. In rank among nations the United States stands second as an exporter of domestic merchandise and third as an importer of merchandise. Its exports of domestic products exceed those of any other country except Great Britain and its imports are larger than those of any other country except Great Britain and Germany.

One feature in which the United States is rapidly gaining in its commercial rank among nations is that of manufactures exported. A decade ago, in 1901, the value of manufactures exported was but 447 million dollars; in the year 1911 it was, in round terms one billion dollars, if we include the value of manufactures sent to our noncontiguous territories of Porto Rico and Hawaii, formerly included in the foreign trade statements of the country but now customs districts and therefore omitted from such statements.

An analysis of the imports by great groups shows that decreases occurred in manufactures ready for consumption, in crude materials for use in manufacturing, and in foodstuffs partly or wholly manufactured; while increases occurred in foodstuffs in a crude condition, and in manufactures for further use in manufacturing. Figures for ten months ending with October, the latest period for which statistics are available at the time of this writing, show that imports of crude foodstuffs were



valued at 145 million dollars, an increase of 27 million over the corresponding period of the preceding year; foodstuffs partly or wholly prepared, 151 million, a decrease of 18 million dollars; crude materials for use in manufacturing, 421½ million, a decrease of 30 million dollars; manufactures for further use in manufacturing, 242 million, an increase of 5 million dollars; and manufactures ready for consumption, 294 million, a decrease of 16 million dollars. Of the foodstuffs in a crude condition, the chief increases in imports occurred in fruits, cocoa, and coffee. The increase in coffee was partially due to higher prices, the ten months' imports, 620 million pounds valued at 70 million dollars, showing an increase of but 8 million pounds in quantity and an increase of 16½ million dollars in value. Imports of sugar are considerably smaller than last year, the ten months showing a total of 3,842 million pounds valued at 92 million dollars, compared with 3,978 million pounds valued at 108½ million dollars in a like period of 1910. India rubber imports decreased from 78 million in ten months of 1910 to 66 million in 1911, and the respective values from 85 million to 61 million dollars; hides and skins also decreased, from 401 million pounds valued at 75 million dollars to 347 million pounds valued at 66 million dollars. A slight increase occurred in the quantity of tin bars, blocks, etc., the ten months' figures of 92 million pounds being but one million pounds larger than those of last year, but the higher price this year raised the value to 37 million dollars, as against 29 million in 1910. Wool imports in the ten months of 1911 aggregated 22 million dollars, compared with 33 million in 1910 for corresponding months; fibers, 25 million dollars, against 24 million in 1910; and raw silk, 55 million, against 52 million dollars last year. Among the manufactured articles imported, woolen goods decreased, as did also lumber, cigars and cigarettes, silk goods, iron and steel products, leather manufactures, cars and carriages, and many other important items.

Considering now the exports by great groups and leading articles, it is found that foodstuffs in a crude condition increased from 70 million dollars in ten months ending with October, 1910, to 95 million in a like period of 1911; foodstuffs partly or wholly manufactured from 203 to 247 million dollars; crude materials for use in manufacturing, from 437 to 491 million dollars; manufactures for further use in manufacturing, from

234 to 267 million dollars, and manufactures ready for consumption, from 447 to 531 million dollars, indicating that exports of manufactures as a whole in the full calendar year will be fully 100 million dollars more than those of 1910 and far in advance of any earlier year. Cotton exports in the ten months of 1911 aggregated 2,945 million pounds, valued at 371 million dollars, establishing a new high record in value and closely approximating the high record quantity of 2,983 million pounds exported in the corresponding ten months of 1909. Iron and steel exports in the ten months of 1911 were 206 million dollars in value, against 164 million in the corresponding period of 1910; and for the full calendar year the total will doubtless be about a quarter billion dollars. Other leading articles of manufacture also increased, according to the ten months' figures of the Bureau of Statistics Department of Commerce and Labor; copper, from 74 to 83 million dollars; illuminating oil, from 48 to 53 million; cotton manufactures, from 29 to 37 million; vegetable oils, from 11 to 18 million; leather and manufactures thereof, from 46 to 47 million; and wood manufactures, from 69 to 78 million dollars, the comparisons in each case being with the ten months ending with October, 1910. The list of comparisons might be further extended to show increases in agricultural implements, automobiles, cars, drugs, chemicals and medicines, scientific instruments, and many other articles.

A handwritten signature in dark ink, reading "O. P. Austin". The signature is written in a cursive style with a horizontal line underneath the name.



## Contemporary Journalism



¶ In this department of The Editorial Review we publish each month the history and growth of a newspaper of prominence. In this number we sketch the successful career of The Ohio State Journal.

¶ We also reprint here carefully selected editorials on the vital questions of the day, in which public opinion is reflected and presented unbiassedly in the most forceful and telling manner. To the individual reader it would be an almost impossible task to cull these editorials, for it involves the perusal of thousands of newspapers. Through its trained staff, however, The Editorial Review is able to present this compendious résumé of the best, keenest and most up-to-date contemporary opinion, as set forth in the leading newspapers, the value of which for future reference can not be overestimated.

### THE OHIO STATE JOURNAL.

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THE progress and the long career of a newspaper may not in themselves be a criterion of its worth; for location and special local conditions are often important factors in success. The character of a journal and its devotion to public interests have much to do with its development and continuity. The standard of Ohio newspapers is exceptionally high, and many of them wield immense influence not only in the city of publication, but in the state and the nation. The State Journal recently celebrated its hundredth year and brought out an anniversary number containing valuable historical data regarding the state, the eighty-eight counties that comprise it, its capital city, Columbus, and its various institutions of an educational, philanthropic and cultural character. The newspaper is one with worthy traditions, sound principles and devotion to the welfare of the people. It fulfills the high mission of journalism in a conspicuously thorough manner.

The Ohio State Journal was founded by Nathaniel P. Willis, grandfather of the well-known poet. This was on July 17, 1811, its name being the *Western Intelligencer*. It is the third oldest newspaper in Ohio, and one of the oldest in the United States.

The century since 1811 has been one of marked progress and national development. When the State Journal was established all the equipment of office and press had to be brought over the Alleghanies by pack-train and wagon, "delivered on flatboats at Pittsburgh for transfer down the Ohio River to the mouth of the Scioto and thence to Chillicothe by pack and wagon again." When the newspaper was founded Columbus was little more than a forest; today it has nearly 200,000 inhabitants. Since 1811 this country has gone through four wars; has doubled its territory, has expanded in population from three or four millions to over ninety millions. In the year of the birth of this journal Abraham Lincoln, William Ewart Gladstone, Alfred Tennyson, Charles Darwin, Chopin, Mendelssohn and other mighty men of brain and character were as yet in their infancy. How potent was their work in the progress of the nineteenth century is matter of history. Across the hundred years intervening between 1811 and today great names pass before the mind's eye, men who were added to the Roll of Fame,—Webster, Clay, Whittier, Emerson, Nathaniel Hawthorne, Lincoln, Grant and a host of others in statesmanship, letters and action. The retrospect is an object lesson in optimism. In 1811 four days were required to carry a letter by post from Boston to New York, and the cost was seventeen cents!

The passing years have found reflected in the State Journal the great changes that have marked the progress of the newspaper world. At first the publication was weekly and of small size, seldom more than four columns, never exceeding four pages. When it became the official organ of the State Legislature it was issued three times a week and, eventually, daily during the legislative session. In 1838 it was changed from an evening to a morning newspaper, which it has continued to be down to the present time. In 1847 the telegraph came to Columbus, but was at first irregular in service. Hand presses have given place to steam presses. The telephone became a factor in newspaper work in the late seventies; typewriters have largely replaced long-hand writing and the linotype has succeeded the hand compositor. And, with the years, the State Journal has grown from a small

weekly to a strong daily, with an ever-strengthening sphere of influence.

The State Journal has been a school from which many men have gone forth to reputations of national and international character in the political and literary life of the nation. William Dean Howells was one of its editors. Two governors of Ohio were on the staff, Salmon P. Chase having been an editorial writer before he went to Washington. One of the correspondents of the paper was Charles D. Hilles, the present secretary to the President.

The first number of the State Journal, or as it was then known, the Western Intelligencer, was printed under the auspices of Col. James Kilborne. August 21, 1811, marked the first of a chain of changes in ownership. On that date the paper passed to Joel Buttles and George Smith, who announced that it would be "conducted upon just and equitable principles, independent of private opinion or local prejudice." Three years later the plant was removed from Worthington to Columbus, and Columbus Gazette added to the title. Mr. Smith withdrew and P. H. Olmsted and Ezra Griswold joined the firm. Mr. Buttles becoming interested in other matters than newspapers, the control passed completely to Colonel Olmsted.

In 1825 George Nashee, of Chillicothe, was appointed State printer at Columbus. He allied himself with Colonel Olmsted and the paper became the Ohio State Journal. The legislature at that time did not publish a daily journal of its proceedings and the paper became the official organ. Since that time many changes and amalgamations have taken place, until in 1902 it passed into the hands of its present owners. A Sunday edition was first issued in 1890.

Coincidental with the establishment of the State Journal was the navigation by steam of the Ohio River, the centenary of which was recently celebrated. Columbus has been preëminent in educational and uplift work for the good of humanity and many of its institutions are models of their kind.

In the anniversary number of October 26, 1911, many interesting and historic reproductions are given, among others a facsimile of the fifth number of the first volume. Under the title the following caption is placed: "Truth, equality and liberal knowledge are the three pillars of republican liberty."

Congratulations from contemporaries and distinguished men in the country were sent to the State Journal on its centennial.

## LEARNING AND EARNING.

(*Ohio State Journal.*)

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HERE is a good sentiment uttered by Dean Hodges at Chautauqua last summer. "We should take less time earning a living and more time living." If men would take that little hint to heart they would find life fairer. Even if one could not cut down on his time in earning a living, he could increase it in living. There is hardly a man anywhere but could give one hour each day to the demands of the intellect and heart and make his life happier and nobler thereby.

There is some danger that the time saved in cutting down the hours of a day's work is not made use of as was originally intended—that it should be given up to mental, moral and social improvement. The real friend of the eight-hour law will be true to its doctrine, for if he is, he will adorn the cause he represents and give it a stronger foothold in public opinion. For don't you know the real victories in the future are to be gained by intellectual and moral progress? And don't you know a victory thus gained is the only one worth having?

Yes, that is the doctrine—spend more time in living—not in loafing, or discussing, or smoking, or frolicking, but in those practices that illumine the mind and cultivate the emotions. That is the way future problems are to be solved—not by prejudice, menace, or excitement, but by thought, by candor, by friendship.

But there is another thought, which is, that a man can live while he is earning a living. Some of the finest people we know put cheer and thought into their work. There is an art in common things as beautiful as in sculpture or music. And the men and women who put it there are our best people, better than wealth, position or leisure can possibly make them.

## THE IMPENDING STRUGGLE FOR THE DISTRIBUTION OF WEALTH.

*(New Orleans Daily Picayune.)*

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PROPHECIES of evil are always unwelcome. Not only are they commonly rejected, but in ancient times the prophets were stoned, and in later ages they have been treated with contempt and contumely, and regarded as public enemies.

The great anti-slavery movement of the fifties, which resulted in the terrible sectional internecine war of the sixties in this country, showed the frightful political storm which was rising and finally swept over the South, but not one single act of preparation was made for it beforehand. Everybody waited until the first blow struck, and when it struck it found the South destitute not only of arms and the means of defense, but lacking in everything necessary for the ordinary purposes of life save the crops in the fields and the small stocks of clothing and other necessities that happened to be in the South at the moment.

The Southern people had no manufactures, and being dependent for all they consumed, save food, upon the Northern States with which they were at war, and on foreign countries which they could not reach for lack of ships, the South found itself reduced to the most serious extremities under the greatest stress to which a people could be exposed.

It was destiny that slavery should be abolished in every civilized country, and it was done, and still another tremendous, and this time not sectional nor even national, but worldwide political, social, industrial and financial revolution is impending, and yet any mention of it and of its rapid approach is laughed to scorn. It is the fight for equality, political and financial.

Of course its object never will be attained any more than the abolition of slavery abolished the conditions of poverty and de-

pendence that were the real slavery. Now the struggle is to abolish poverty and dependence. The really good-hearted and benevolent people who dream of such a deliverance for the whole body of the people never get out of the ordinary routine for uplifting the people in mass and as a whole. They understand that there can be no extension of opportunity to all so long as the public tolerates land grabbing, the monopolizing and wanton destruction of natural resources and the creation of special privileges for the powerful under the guise of public franchises. The creation of opportunity for all involves a frank recognition of such principles of natural justice as that the bounty of nature belongs of right to all, and should not be given away to the few; that government and law are for the benefit of all, and not for the aggrandizing of the clever and powerful. It involves also acceptance of a principle of expediency which has been strenuously opposed in American political history, namely, that the public in its organized capacity as the state may and should assume the duty of promoting the general welfare, not only by maintaining order, enforcing the civil and the criminal law and providing educational opportunity, but also by regulating the economic life, insisting on safe and sanitary conditions in industry and in dwelling places, providing systems of insurance against accident, sickness and unemployment, and guaranteeing provision for old age.

But suppose that equality of opportunity were established for every member of a community and that the helpless and disabled were duly provided for. Would every able-bodied individual profit by the situation and embrace those opportunities? Not a bit of it. There would be the idlers, the loafers and the criminals, just as there are now. It is one of the most firmly established prerogatives of liberty that a man shall not work if it pleases him not to do so. And not only that, instead of measures being adopted to create a system under which all who can shall take part in production and development, the system which largely exists limits the avenues of employment to members of special organizations.

But the dreams of optimists have no more possibility of realization than have those of the labor organizations. Even if every able-bodied person willing to work were employed, and every idler and loafer who must be classed with the other helpless and dependent elements were provided, that would not create the con-



ditions of financial equality. The abolition of poverty is not enough. It is the fact that a few possess great wealth and the many have not competence, that there is a shocking inequality in human fortune when all should be equal, that is raising a tremendous movement in every country in the world.

The first step is to abolish social and political classes, and the next will be to bring all to a pecuniary equality by dividing out the accumulated wealth. This is to be done by force. No consideration is to be given to any moral and social conditions that have trained some to labor, save and accumulate, while others have only been content to spend and dissipate. All must be made alike in fortune by means of an universal distribution.

But even if that dream were realized for a moment, the inequalities caused by the difference in men's character and dispositions would still continue to operate as they do now, and in a very short time some would be rich and others poor, so that a frequent redistribution of wealth would be necessary to maintain any semblance of financial equality.

But it need not be thought that the absurdity of such a condition will deter men from seeking to carry it out. The lure of being able to handle all the movable wealth in a community, a nation or the world, in order to parcel it out, is greater than the dreamers can resist, and one day a tremendous movement will be made to carry it out.

It will produce a most unspeakably frightful revolution in every country in the world; it will disorganize governments, change armies to mobs and reduce all human society to chaos while the storm is raging. When it shall have passed there will be a general reorganization, but this work of destruction will have been done. When it shall break upon the hapless human race no one can say, but he is blind who does not see the storm impending.

## SHALL IT BE TAFT?

(*Boston Herald.*)

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THE Republican party has never failed to renominate an elected President who desired that honor. Rutherford B. Hayes early took himself out of the running. Lincoln and Grant and Harrison and McKinley were all made candidates for a second term. Mr. Arthur really constitutes no exception, since he had not before been the choice of the party for the presidency.

The Democracy has been quite as generous in this respect. It gave Mr. Cleveland three nominations, and Mr. Bryan, who has never been a President at all, an equal number. Aside from these two candidates Alton B. Parker is the only man in thirty years who has received a Democratic presidential nomination.

Every precedent thus points to the renomination of Taft, if he wants it.

The movement to name somebody else would have much more basis were there any large likelihood of the other man's running any better. On the assumption that Taft cannot be elected, it is pertinent to inquire what Republican candidate could be?

Mr. Roosevelt would clearly be the strongest candidate of any Republican. He would gain new support in several quarters from the very fact of being drafted "to save the party." But he did not prove, even in similar circumstances, invincible in the Stimson campaign in New York two years ago, on the success of which his heart was much set. The enemies whom he had aroused during the seven years of the White House would direct their fire against him with great severity. Nor is the opposition to the third-term idea wholly negligible!

How about La Follette? While he may be elected President at some future time, this seems hardly a good year for him to enter the lists. He seemingly could not have the electoral vote of New

York, New Jersey and Connecticut. The great business interests centering in Manhattan island would take instead almost any Democrat, and in their present ascendancy the Democrats would almost surely retain this pivotal group in the Democratic column.

Then there is Indiana. Beveridge, who represents nearly the La Follette point of view, was a candidate for reëlection in that State two years ago, making a determined contest, but without success. It is therefore by no means proved that insurgency acts as a life-preserver on otherwise sinking Republicanism.

Mr. Charles E. Hughes would have been an available candidate three years ago; but seems hardly of sufficient magnetism to arouse the country today. At least he is not to a degree superior to Taft in availability to justify wrenching him from the Supreme Court. Nagel would be a strong candidate, but he is too loyal to Taft to get in his way.

These are the factors which contribute more than anything else to the probability of Taft's renomination. If his chances differ not greatly from those of any other Republican possibility, the party will think that it might as well adhere to precedent and take its chances.

Moreover, much may happen in eleven months. Great changes in public sentiment have occurred in shorter periods. The Democrats have not yet safely gone through the ordeal of nominating a candidate, adopting a platform, and uniting on it. They have still a session of Congress in which to "do things" that may spoil their reputation.

## FLASH OF THE OLD INDIA.

(*Providence Tribune.*)

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ONCE again the eyes of the world turn to catch another flash of that East whose rubies, sapphires, diamonds, elephants, cloth of gold, silks and court magnificence fired the brains of the Europeans of the time of Columbus. Though Kipling has assured us that East is East and always will remain so, still the East is now being toned in some degree to the dull conventions of the West. Barbaric courts have mostly passed, and even India long has lapsed to the drab monotony of dust and poverty, as the regular rule of its life. Seldom does it shake off the growing lethargy of its subject state and arise imperial in its old magnificence.

But it does so this week. Gold leaf is again heavy on the tusks and heads of elephants draped in cloth spun of gold and decked with gems; diamonds flash again and ropes of matchless pearls bedeck glorious Rajput, Sikh and Deccan rajahs and maharajahs; glorious old bands play, and the most spectacular troops in all the world gathered from the Nepal and Kashmir Himalayas to the Nizam's walls of Golconda march again. India receives, accepts and proclaims George V, King of the United Kingdom of Great Britain and Ireland, as Kaisar-i-Hind or Emperor of India.

The King, accompanied by Queen Mary, arrived in Bombay December 2d. On December 7th they will be received in that historic old capital of the most magnificent court the world has ever known—that of the Great Moguls. It was there that Lord Lytton declared the sovereignty of Victoria over India and there that Lord Curzon proclaimed Edward VII Kaisar-i-Hind. The reception itself is to take place on historic ground—just outside the old Kashmir gate which Nicholson stormed in 1857. In fact, the pavilion is on the ridge itself, a spot always sacred in the memory of every Briton and inspiring to everyone of Anglo-Celtic blood; for it was there that a small handful of Britons, aided by Sikhs and Gurkas, were pitted against all India in the great mutiny.

The Durbar itself, at which the proclamation will be made before a hundred thousand people, next week, follows the almost endless regal parties given in the oriental tents and under the great royal canopies as of old. Only by dreaming the old dreams of the silken, golden, gem-bedecked East can these now passing scenes at Delhi be caught by the mind's eye.

## ARIZONA AND NEW MEXICO.

*(Cleveland Plain Dealer.)*

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THE expected happens in the Arizona election. The Democrats elect the new State's first governor, its first national representative and a Legislature which will send two Democratic senators to Congress. It is a clean sweep. It is believed, further, to presage an amendment of the State constitution reestablishing the judicial recall provision which was cast out of the first constitution by order of President Taft as a condition of the State's admission to the Union.

This issue of the recall was one of the prominent ones in the campaign, the Democrats virtually promising to resubmit the expurgated part of the constitution as soon after the inauguration of the new government as possible. Nor is there any reason to doubt the probability that when the provision is submitted the voters will indorse it. Like California and perhaps other radical western and southwestern States, Arizona appears ready to try this extremely dangerous experiment.

Of equal national interest is the effect this election and the recent one in New Mexico may have on Congress. The present Senate has fifty Republicans, forty-one Democrats, there being one vacancy from Nebraska. New Mexico is expected to send two Republican Senators; Arizona two Democrats, thus balancing the result. In the House where the Democratic majority is already unwieldy, the ruling party gains one in the two elections.

The voters in both these new States have shown real earnestness in performing their first duties which promises well for the success of the forty-seventh and forty-eighth members of the Union.

## THE GERMAN ELECTION.

(*Baltimore Sun.*)

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OUR own political pot has already begun to boil and the steam from it fills the air with mist, but its gentle ebullition, so far, is as nothing compared to the volcanic bubbling going on in the political pot of the German Empire. Over there they are face to face with the most important election in forty years—an election which threatens to result in large Socialistic gains and considerable damage to the ruling oligarchy. What is worse, its true effect will not be visible until the new Reichstag meets, for only then will the alliances and alignment of the opposition parties be determined. In consequence, what may be called, without exaggeration, a political reign of terror now exists in Germany, and the antagonistic augurs and haruspices arouse the people to a high pitch of excitement.

That the Socialists will gain a majority in the Reichstag is, of course, impossible. In the Reichstag just prorogued they had but 51 members in a total membership of 397, and in the new Reichstag it is unlikely that they will have more than 100 or 110, though they profess hopes of electing 150. The archaic German scheme of apportionment, unchanged since 1870, keeps their representation down. They are strongest in the city districts, where the population has doubled and tripled in forty years, but the Conservative country districts, where the population has increased but little, continue to hold the balance of power, and in these country districts Socialism has made comparatively small headway. Thus the Socialists, even should they poll a clear majority of votes, would by no means elect a majority of deputies.

But what they can not do at the polls they may do on the floor of the Reichstag. That is to say, the long-discussed alliance among Socialists, Radicals and National Liberals may actually

come to realization in the new Reichstag, and if it does the chances are that it will have votes enough to rout the Conservative-Centralist alliance, now and for forty years in control, and so put through a reapportionment bill. If that bill ever passes, the Socialists, without further ado, will at once elect 135 instead of 51 deputies, and the whole leftist group, taken together, will elect nearly 225—a majority of about 25.

It is this possibility that gives the ruling oligarchy uneasiness and inflames the minds of the workmen of the cities. In favor of its realization is the "From Basser-man to Bebel" movement, which contemplates a coalition of the three radical parties. Against it is the fact that the National Liberals can not stomach the Socialist-Radical program. They are opposed to the Junkers oligarchy, but they are ardent patriots, and the Socialist-Radical attacks upon the army and demands for free trade scare them off. But if, by any chance, that alarm of theirs is stilled and they join forces with their nearest political relatives, then there will come a day of doom, indeed, for the Prussian aristocracy and for the whole German tradition in government.

## THE AUTOMOBILE INDUSTRY.

(*Cincinnati Enquirer.*)

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THE twelfth national automobile exhibition, to be held in New York City from January 6 to January 20, 1912, will be of such magnitude as far as number of exhibitors is concerned as to place the manufacture of auto vehicles in its proper place in the very front rank of our national industries.

With 60 exhibitors of pleasure vehicles, 31 exhibitors of motor trucks and business wagons and more than 500 exhibitors of the various supplies and parts that are classed as accessories in the trade the people of the United States will have some appreciation of the vast development of this comparatively new industry.

Eighteen years ago not even \$100,000 was invested in all the automobile manufacturing plants in the United States, while today the capital invested aggregates in the hundreds of millions of dollars, and hundreds of thousands of workmen are earning good wages through their employment by the automobile manufacturers.

The auto vehicle is transforming the transportation business in every direction.

It is aiding to merge the outlying agricultural districts with near-by cities through its speed and low cost of freight transportation in a business way.

In the city of New York it is stated upward of 8,000 auto trucks and business wagons are in daily use, and the demand upon manufacturers for certain classes of these trucks and wagons is far beyond the present capacity to supply in the near future.

In foreign markets our medium and low priced cars are meeting with decided favor, and the labor of American artisans is being paid for by foreign cash through the export of automobiles



in a way that benefits our country and must be gratifying to employers and employees alike.

One company reports more than \$1,000,000 in export orders for pleasure vehicles, and, while the domestic orders are sufficient to absorb the entire output of the business of vehicle factories, yet foreign customers are placing orders for them and report great satisfaction from the service of those already sent abroad.

While it will be years before there will be any slackening in the demand for the pleasure types, there is unanimity in the opinions of manufacturers that for the commercial truck and wagon vehicles the demand is but in its infancy, and ultimately that branch of the trade will equal in value of annual output the passenger machines.

## THE TRADE OF LATIN AMERICA.

(*Mexican Herald.*)

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ACCORDING to the annual report of Director-General John Barrett, of the Pan-American Union, the foreign trade of the Latin-American republics with all the world during the last five years has advanced from \$1,700,000,000, gold, to, \$2,360,000,000, gold, an increase of \$660,000,000, gold.

The total value of the trade exchanges between the United States and the other republics of this Continent has grown in the same period from \$498,000,000 to \$640,000,000, an increase of \$142,000,000.

These figures serve to give an idea of the commercial importance of the Latin-American republics. Their trade, as it is, is of immense volume and is deserving of study by the United States, so that the American share in it may be constantly increased.

But impressive as the figures are they represent only a fraction of what the trade of the Latin-American republics will become when all of them settle down to a tranquil, orderly and industrious existence and they begin to be developed in a really systematic manner, and on a scale commensurate with their varied and inexhaustible resources.

When revolutions in Latin-America are, in very truth, a thing of the past, the vast regions on this continent originally conquered and settled by the peoples of the Iberian Peninsula will enjoy a prosperity hitherto undreamed of.

## WHAT EXCUSE NOW FOR MORE DELAY?

(*Atlanta Georgian.*)

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DELAY is not confined to the judicial department of our government alone, though it is the vogue now to complain of the slow processes of courts. The trial of the Chicago packers is given the place of shining example.

But the courts are not the only offenders. There's Congress.

If it has taken the courts under the Sherman law twenty years to bring a trust to civil judgment and a trust organizer to criminal trial, how long has it taken Congress to give the people a parcels post?

The only answer possible is that Congress hasn't done it yet, though the demand for it has come down through the decades.

And the excuse that came down with it was: "The postoffice department is head over heels in debt. Every year it shows a big deficit."

But that excuse now has nowhere to lay its head or where to place its feet. There is no longer a deficit, but a surplus in the postoffice department, and a surplus, too, of \$219,000, according to the report of Secretary Hitchcock. Two years ago the deficit amounted to more than \$17,000,000.

Not only have the people been insistent in demanding a parcels post, but so for a number of years has been the postoffice department itself, at least for a beginning.

Here, then, we have the people wanting the parcels post and the postoffice department wanting it and having the money too, to start it on. Then why don't we get it? Let Congress answer, and answer it at the present session.

Not long ago a prominent citizen of the United States stood up in a public gathering and said:

"The American people are a lot of chumps, else they would have risen in their might and got the parcels post long ago."

How near right was this prominent citizen?

## SYMPATHY.

(*Detroit News.*)

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THE little things in life, as well as the big events, pry loose the grip of self-reserve and free the phases of human nature. It's worth while to watch the crowd in the downtown streets of a city when it parts to make way for the swift flight of an ambulance hurrying along to the accompaniment of gongs. All philosophical speculation on the reality or matter-of-factness of its errand is secondary to the compassion that manifestly floods every being there. Perhaps no one among all who witness the passing of that vehicle has any definite conception whatever of the appearance or condition of the patient it bears, or is going for. An abstract human being does exist, and there is consciousness of his suffering; so that nominalism may not be so extinct, after all, as realism and materialism would declare. The strongest man, walking to his work, with health proclaimed in his every stride, is checked in his course for the moment. Something very much like a picture takes form in the eyes of the most unimaginative.

Tugging at the most self-centered heart there is a little wish that it could do some office, however slight, looking toward the banishment of all disease and pain.

The header features a dark rectangular background. On the left and right sides, there are small, stylized illustrations of books or stacks of papers. In the center, the words "Literary Notes" are written in a large, white, serif font.

# Literary Notes

A most informing volume, entitled "Social Reform and the Constitution," by Frank J. Goodnow, has recently been published by The Macmillan Company in the American Social Progress Series. Dr. Goodnow is Eaton Professor of Administration Law at Columbia University, and he has essayed the task of endeavoring to ascertain "to what extent the Constitution of the United States in its present form is a bar to the adoption of important social reform measures which have been made part of the reform programme of the most progressive peoples of the present day." The subject is one of absorbing interest and the author discusses the demands of social reform, the constitutionality of political reform and that of government regulation aid, the power of Congress to charter interstate commerce corporations, and the attitude of the courts towards measures of social reform. A table of cases cited in the book adds greatly to its value. An interesting chapter is one on the power of Congress over the private law in force in the United States, how far this power has been exercised and what influence it has had upon our Law.

The great social problems before the United States today come under three general heads of Government Ownership, Government Regulation and Government Aid. Dr. Goodnow shows what has been done in the other countries as well as in ours in various directions of social reform. From this comparison the question arises whether the United States can solve its social problems with any hope of success under the constitutional law as it is enforced today. This involves the legal relations between the Federal Government and the States of the Union. Delicate questions regarding constitutionality have to be settled by the courts before much headway can be made.

The chapter on Government Regulation covers a wide field and constitutes one of the most important portions of this book, upon whose pages are stamped the mark of thorough and

earnest research, ripe experience and legal analysis that make it particularly valuable at a time when much loose thinking and speculation are taking the place, in many quarters, of studious and scholarly investigation into the vital problems, political and social, that confront the nation.

A carefully prepared Index completes the helpfulness of the work for the busy man who wants to find information regarding particular points and controversies.

IN editing "The Records of the Federal Convention of 1787" Max Farrand, Professor of History in Yale University, has put all students of American institutions under a debt of gratitude. The object was to gather in a single work of three volumes the mass of documents and available records in a trustworthy and dependable form. The material was scattered and in some cases, through subsequent revisings of manuscripts, had become different in mode of presentation from the original records. In the work under review much is made public that hitherto has not been published, and the utmost care has been taken to reduce mistakes and inaccuracies to a minimum. A special index makes it possible to trace the origin and development of every clause in the Constitution, and enables reference to all the subject-matter in Professor Farrand's work bearing thereon to be readily found and collated.

In the preparation and editing of a collection like this, involving immense labor and discrimination, the editor was assisted by a number of scholars of wide reputation.

The manufacture of the work leaves nothing to be desired; it is excellent typographically and in annotations.

ONE of the politicians who bulked large in the public gaze, particularly in the last year of his life, was Tom L. Johnson, who, as Mayor of Cleveland, fought a dogged fight in the interests of the people against the street railway monopoly there. A sympathetic life of this remarkable man has recently appeared from the pen of Carl Lorenz (The A. S. Barnes Company, New York). The life of Johnson was a succession of struggles and battles against tremendous odds, almost from the cradle to the grave; it contains many of the elements of a Greek Tragedy, and his career added a picturesqueness to our modern political life that will probably not be duplicated in the future. He made scores of enemies; he was denounced and derided as a Socialist,

and as one who, where privilege and vested interests were concerned, was iconoclastic in his ideals. The story of his career, with its many vicissitudes; his peculiar disregard of the conventionalities of society; and his downright honesty and purposefulness of endeavor in the field of municipal reform and social uplift, will stand out in the annals of his time as things to be remembered with gratitude.

His last years were sad and embittered by family misfortunes and by his long, heroic fight against an incurable disease, but the calibre of his character, and the buoyancy of his self-confidence and altruistic faith, remained with him until the end. Tom L. Johnson has left a legacy to his fellow-citizens and to his country. He brought much joy and sunshine into the lives, not only of his friends, but of many of his enemies. His activities were extraordinary, his personality dominating every action of his life.

This book traces his entrance into politics; his occupancy of the Mayoral chair at Cleveland, Ohio; his fight in behalf of the people's rights; and his final days, when he became almost a pathetic figure to the country at large, which watched the last lingering illness with almost a personal touch of feeling and good will. We commend this book to all who would become acquainted with a character that, with all its rough edges, peculiarities and unconventionalities, stood out as true and honest and above-board. The story as told by Mr. Lorenz is fascinating and stirring.

*Stavelock Fisher.*

Social Reform and the Constitution. By Frank J. Goodnow, LL.D. The Macmillan Company. \$1.50 net.

The Records of the Federal Convention of 1787. By Max Farrand, Editor. Yale University Press. 3 volumes. \$12.00 net.

Tom L. Johnson. By Carl Lorenz. The A. S. Barnes Company. \$1.50 net.

## WITH OUR PUBLISHERS.

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THE EDITORIAL REVIEW wishes its subscribers, readers and friends a happy and prosperous New Year. We feel sure that they will be pleased to hear of the success that has attended the magazine during 1911. Its circulation has increased manifold, in all sections of the country. It has found its way into not only libraries, both general and special, but also into schools, as coöperating in the practical study of current topics, and into our State Departments; has traveled into Canada and across both oceans—in fact, wherever in private homes, offices, educational and other institutions there are thoughtful readers and earnest students of the problems of today and the possible developments of tomorrow, this indispensable magazine is a welcome guest, and makes new friends.

Tributes of praise and esteem have been received from leading newspapers, and many editorials have appeared eulogizing the manner in which the subjects of the specially contributed articles are presented to the reader.

Our mail bag continues to bring us words of appreciation and encouragement from individual subscribers and readers. One from the West writes:

"I have been particularly well pleased with the sample copy of the November number and trust I may find the various numbers throughout the year as interesting."

Another is sorry that he has only recently made the acquaintance of THE EDITORIAL REVIEW. He says:

"I have THE EDITORIAL REVIEW for November, and feel almost personally aggrieved that I have not known of THE EDITORIAL REVIEW until I received the copy mentioned.

"When I make the statement above, I feel very much as Governor Richard Oglesby seemed to feel some time about twenty years ago when he had a certain interview with a reporter of the Chicago Daily News, who had gone to see Uncle Dick to tell him that the News believed that if he would consent to be a candidate for the Senate he could break the deadlock which was at that time thriving largely in the legislative halls in Springfield. Uncle Dick could hardly be turned away from the fireplace where he sat with a large volume which seemed to absorb his entire mind and attention. The reporter was told that this book had taken about all of his time and attention for the past three days, allowing him little sleep, and only about half his usual number of toddies. Uncle Dick looked up from his book long enough to say to Paul Hull, representative of the Daily News, that he, Hull, was a fool to have ridden so far and so fast in the chill November day, but that the news representative was not as great a fool as would be the some-time Governor of Illinois if he complied with the suggestion—to go on back to Springfield and tell his friends in the Legislature, and also to tell the managing editor of the Daily News that he did not have sufficient sense to become the Senator from Illinois at his at that time ripened age of seventy-six, because he had only learned three days before, that such a man as Montaigne had ever lived, and that he proposed to finish all English translations of that writer before he did anything else.

"You may apply this story to me as indicative of my ignorance of THE EDITORIAL REVIEW."

A clergyman exercises the right of changing his mind and



also the privilege of saying the most important thing in a post-script. His note is short but to the point:

"I thank you for your attention in mailing to me a copy of THE EDITORIAL REVIEW. I am not in a condition to read all magazines, journals, papers and books, which are urged upon me as absolutely necessary for my professional and educational safety. I must confine myself to a very few journals in the different lines and languages of my immediate need.

"P. S.—I reconsidered my decision and herewith enclose subscription for one year."

The excellence of our magazine impressed a prominent Western banker, who sent the following letter:

"Sometime ago I remember receiving some sort of a proposition regarding THE EDITORIAL REVIEW. These things are so frequent at this season that your letter went to the furnace. Today I picked up the sample you sent. The magazine impressed me more than your offer and I will be obliged if you will put my name upon your list. Send me a copy of your proposition—EDITORIAL REVIEW only—and I will send you check."

We have the gratifying knowledge that during last year the magazine surpassed previous efforts, and that it not only kept abreast of the times but went ahead in discussing the most vital needs in political and social issues and also in the solution of ethical and civil problems of paramount importance to our own and to other nations.

We are planning a programme for 1912 that will, we think, enable us to forge ahead in presenting material to our readers that shall be of the same high standard of excellence hitherto set and maintained. A home or an office or a public institution without THE EDITORIAL REVIEW will miss much of interest and information during this year of great effort in all branches of activities.

A few instances of the timeliness with which THE EDITORIAL REVIEW, vigilantly watching the trend of events and movements, has brought to its readers a first-hand and reliable statement of actual conditions, will suffice to show that our magazine meets the needs and requirements of a large number of our citizens in their grasp and comprehension of actual present-day conditions.

In the December number the following articles appeared:

*The Nation's Greatest Peril*, by John Kirby, Jr.

*The Taxeaters*, by Lindon Bates, Jr., and

*Economic Liberty*, by Charles M. Howell.

The McNamara trial has aroused the public indignation and Labor is today on its trial. Mr. Kirby calls attention to some of the practices of the American Federation of Labor. Mr. Bates discusses the question of indirect taxation and the burden that falls upon the poorer classes of the community. Mr. Howell proposes a plan to solve the question of the vast accumulation of wealth in the hands of a few, by a system of taxation that shall more equitably distribute money.

These articles are of vital interest and import to every American citizen and appeared at a time when special attention is being given thereto by publicists and the press.

# THE EDITORIAL REVIEW



Mrs. Elmer Black,  
President

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## CONTENTS

	PAGE
Whither The Trend?	85
Timely Topics	88
Some Presidential Aspects	92
No Walkover	98
A New Economic Departure	99
An Amendment Deserving of Support	
<i>Boston Chamber of Commerce Monthly</i>	109
A Study of The Initiative and The Referendum	111
Roosevelt's Advocacy Of The Referendum	125
Is There A Lumber Trust	127
An Appeal To Reason	138
Impressions Of European Traction	140
An Electric Meeting	150
Our National Problems—	
The Application Of a Constitutional and Scientific Solution	151

## CONTEMPORARY JOURNALISM

The New Orleans Item	160
Americans in Music	163
The Spanish Crisis	164
The French Cabinet Crisis	165
Reaching The Core	166
Another Champion For Woman's Suffrage	169
The Republic of China	170
The Lawrence Strike	172
The Film Age	174
History Made In 1911	175
The Worldwide Unrest	179
Literary Notes	183
With Our Publishers	185

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THE EDITORIAL REVIEW is a high-class journal of original thought and the medium for the selection and presentation of dominant editorials of the daily press, thus denoting the views of different sections of the country.

It appeals to those who desire information on questions of high particular and general import. It is a class publication for those who wish to keep pace with every important movement in current general history.

## WHITHER THE TREND?

---

THE first month of the year has gone with a bound that has given immense impetus to activities in all branches of human effort. The political developments have been such as to augur a period of momentous influence upon the history and progress of our nation, that shall stamp this year of presidential possibilities as one memorable in our national annals. Whither seems the trend? Toward conservatism, "insurgency," socialism?

Wonderful as were the progress and development of the nineteenth century—the era of steam—we are living today amid agencies that are transforming the world, by scientific inventions and applications, by intellectual achievements and by political readjustments. The perspective is not distant enough for proper concept; we are living too close to the beginnings of things, to the actual happenings of the present, to be able to grasp the full significance and far-reaching effects of the forces of electricity, the might of industry and commerce, the struggle of humanity after improvement, more general happiness and broader sympathies among the nations of the earth.

As in the material world giant forces are transforming the conditions under which we are living, so in the arena of political and governmental affairs we see fighting today for supremacy a number of elements that have gained of late momentum, and that may in the near future dominate the polity of the nation.

One of these elements, strikingly brought into public purview at the recent elections, is the strength of the socialist vote. Whether the total vote was purely socialistic, or whether there were added to it the ballots of others of different political faith who thereby voiced the general unrest in the country, is of course difficult to determine. That there is an undercurrent of unrest and dissatisfaction with existing conditions is manifesting itself on all sides. And upon the issues of the unrest will be

fought the political battle of 1912. The shadow of Socialism will cast itself over the entire conflict.

Whatever may be the party platform, whoever the leaders and the chosen candidates, the issues of the campaign are clear to all who have studied present-day conditions and observed the signs of the times, in the light of history and of common sense. Democracy—true democracy, as against a spurious one—is on its trial and the question to be determined is whether our Democracy is theoretical only or can it be made practical. Notwithstanding the intention and the seemingly democratic character of our institutions, the condition must be faced that we are living under the dominance of oligarchies composed of men who make a business of politics. The corollary to this is that politics dominates business and the business dictates the men and the policies. In a word, politics must be divorced from business before the body politic will be in a healthy condition.

It has been stated on good authority that the annual average income of the richest hundred Americans exceeds \$1,500,000 and that 200,000 persons have the control of seventy per cent. of the total national wealth, while three-tenths of one per cent. of the people have the control of seventy per cent. of the property. In New York City are over a thousand millionaires worth from one to one hundred and fifty millions. This indicates an unfair distribution of profits between capital, labor and the consumer. There has recently been an awakening on the part of not only the people but also of the men of Big Business to the fact that property rights are subordinate to human rights, and that ownership and control of large corporations and industrial organizations should be qualified by the reservation that they must be employed as instrumentalities in such a way as to conduce to the public good.

The greatest asset of the country is active and prosperous business. Swollen fortunes have been accumulated because there has not been such an enforcement of law as shall not only prevent harm and injustice to the community, but shall not permit large fortunes to be amassed unless they benefit the community. The big corporation is with us and will remain; the question of the day is how to control it and prevent cunning from gaining such wealth-power as represents undue restraint of trade.

A much-needed reform in the machinery of politics is the reduction of public election offices to a minimum and affording

opportunity to the electorate for knowing who are the candidates they are called upon to elect, what they have done and whether they are likely to prove such public servants as will put duty and patriotism before time-serving and personal aggrandizement. The Short Ballot would be a notable reform.

The campaign of 1912 will bring to the fore the issue of public office being a public trust. The greatest happiness of the greatest number is the aim and object of all good government, by whatever name it is called, and the bigger issues include the smaller, the essentials of which strike at the very foundations of our national life and institutions—whether the welfare and comfort of the millions under the Stars and Stripes shall be guaranteed by those who direct the nation's affairs, the influence of plutocratic and oligarchic powers to the contrary notwithstanding.

As the campaign progresses new developments and undreamed of possibilities may occur, as has happened in previous political campaigns; but the nation has never been stronger in its own might, higher in the world's esteem, nor more capable of greater expansion and adaptation to whatever comes, than at the present time. Hence, optimistically and indeed buoyantly we may face the future and whatsoever it may hold for us as a nation and a world-power.

THE EDITOR.

## Timely Topics

*Some Presidential Aspects*, by Francis Curtis, surveys the possibilities of the presidential outlook, the probable candidates, the main issues, and the party alignments. Mr. Curtis is the Director of the Literary Bureau of the Republican Congressional Committee, is the author of the only complete History of the Republican Party, and of many pamphlets on the Tariff and other political issues. He supports a strong argument for the renomination of President Taft, reviewing the work accomplished during his incumbency of office and showing that he has won a large amount of personal popularity during that time. In the writer's opinion this record entitles Mr. Taft to be put in nomination as the logical candidate to succeed himself. Mr. Curtis presents a carefully tabulated analysis of a tentative Republican and Democratic Electoral vote, which brings out the possibility of the vote being so cast as to give neither candidate a majority. In that event, the election of a President would vest in the House of Representatives, as provided by the Constitution. Meanwhile, the Senate will have proceeded, in such an eventuality, to elect its Vice-President, who, when March 4th arrives, if the House has not chosen a President, would, under the Constitution, become Chief of the Nation. The article lays emphasis upon the difficulty, even the impossibility, of any President's ever being able to obtain the enactment into law of a Tariff Bill that shall satisfy the diverse requirements of the trading classes of the community, and on the fact that the main issue in the coming campaign will be of Protection versus Free Trade.

*A New Economic Departure*, by Ernest Cawcroft, presents a timely and thought-compelling theme that is of particular interest in view of the elections last November in New York State and in Massachusetts, where constitutional amendments of paramount importance were passed upon by the electorate. The power of a constitutional amendment to further a policy

of economic progress was markedly demonstrated in the former State by the so-called Surplus Land Acts, the taking of private property for public uses. The Massachusetts amendment, although it did not give the same sweeping power as that in the New York proviso, was one more step forward along the path traversed by the Commonwealth for the past fifteen years, and that has received the sanction of both national and State courts. Mr. Cawcroft, who has contributed several thoughtful articles to the pages of *THE EDITORIAL REVIEW*, goes critically into the question of the appropriation of private lands for public use, and shows its economic and constitutional importance and future effects upon community benefits. He shows what nations like Germany and Great Britain have done and are at present accomplishing in municipal reforms and the acquisition of land for public improvements, together with the safeguards and restrictions placed by the governments of those countries so as to control the character of the improvements and to save the enhanced value of the land so improved, for the municipalities authorizing the betterment. The examples of the city of Port Arthur, on Lake Superior, of Regina and other Canadian towns, are shown to be but the application of economic principles embodied in the recent New York and Massachusetts amendments.

*A Study of the Initiative and the Referendum*, by Emmet O'Neal, Governor of Alabama, is a well-balanced and reasoned article deprecating the present-day tendency to depart from the splendid system of constitutional government built by the wisdom of the Fathers, and to adopt devices that are not in accord with the foundation principles of American policy and administration. It is pointed out that history has always proved the absence of the representative principle in government of a republic to be the precursor of its downfall. Representation is essential to every system that possesses the qualities of freedom, wisdom and energy. Direct action by the people has been ever a failure; the founders of our Republic sought therefore to give us "a government of laws and not of men." Against such vagaries as the initiative and the referendum, Governor O'Neal contends that the barriers were placed, and that it is retrogressive and reactionary to propose changes such as were deliberately and wisely repudiated by the framers of the Constitution. With cogent reasoning, clear-cut argument, and supporting citations, the political heresy of the Initiative and Ref-



erendum is presented in a way that must compel thought on the part of all students of our national system of government, and lead them to weigh well the question whether advancement or retrogression lurks within the enticing snare of the Initiative and the Referendum, with their promise, according to their advocates, of an almost millennial condition of human affairs.

*Is There a Lumber Trust?* by Robert Seelav, is a review of the lumber trade, as well as a discussion of the Trust question in that industry and contains a thorough analysis of the report of the Bureau of Corporations on the timberlands of the country, revealing some of the fallacious reasoning and conclusions included in the Government report. Among the many contributions on the Trust question little has been written in regard to the conditions prevailing in the lumber trade. Indeed, the writer, who is a practising attorney in New York, of Russian birth, and who has for years studied the question and has been associated with lumber establishments here and in Europe, believes that this is the first attempt to present the subject as it deserves to be presented. Every phase is discussed, from the relation of the farmer and the mill-man to the consumer-manufacturer, to the problem of conservation and preservation of the forests; also the tendencies of the Lumber Merchants' Association, as well as the attitude of the Government toward them and the possible remedies against any attempt toward arbitrary action by the lumber merchants. Mr. Seelav urges upon the Government the taking of immediate steps to restore the vast forests that have been razed by the march of settlement and civilization, and presents a summed-up substance of the Report of the Investigation of the Lumber Trade ordered by a resolution of the United States Senate.

*Impressions of European Traction*, by J. Henry Neal, sums up the experience and observations of the writer gained by a recent tour of European cities, arranged by the Boston Chamber of Commerce, for the purpose of studying traction conditions on the other side of the Atlantic. On the whole, he is of the opinion that the United States is far ahead of Europe in traction efficiency; although he admits many excellencies in parts of the system abroad. The scientific management of Port Sunlight at Liverpool, for example, and at two large chemical manufacturing plants that the party visited in Germany in the traction zones, are particularly noted as worthy of adoption in

this country. Mr. Neal, who is the General Auditor of the Boston Elevated Railway Company, writes: "The great use which Hamburg makes of its water park aroused a hope that the popularization of a larger and even finer Charles River Basin of Boston may be hurried along." He shows that in the matter of transportation this country does work under more exacting conditions than the street railways in Europe, and points out that the cost of service also shows American superiority, taking into account the difference in the cost of living in the respective countries. Berlin seemed to the travelers to have the most efficient transit system of any of the cities they visited, and Mr. Neal describes some of the difficulties with which that city was confronted in its rapid transit problems. The conditions in London are also detailed and Chester is selected as showing how the habits of English and American communities differ in regard to rapid transit requirements. In Liverpool they found one of the best municipally operated transcar systems, and attention is called to the wonderful improvements of the city as a whole, the second largest seaport of the United Kingdom.

*Our National Problems—The Application of a Constitutional and Scientific Solution*, by Edward Stern, impressively analyzes the economic conditions of today and their effect upon the general community. Mr. Stern has published many brochures on monetary and economic questions; has lectured upon certain aspects of the same; and for several years has carried on an active educational propaganda on political economy. His aim is to elucidate the application of his discovery that there exists a specific natural test of the uprightness of the structure of human economic government. The argument will appeal to earnest and patriotic citizens, especially those who feel how much injustice is caused by the selfishness and inhumanity of man. In the realm of natural government there exists, Mr. Stern contends, a specific ultimate of the Divine principle of impartiality, and this ultimate is relevant to the domain of economic judgment, which is the collective expression of man's mind in regard to the conducting of human affairs. By utilizing this supreme test of justice, misgovernment will cease and a new era of fraternal feeling between the individual members of our race will be ushered in. Mr. Stern further discusses the question of the constitutional control of the courts.

## SOME PRESIDENTIAL ASPECTS.

BY FRANCIS CURTIS.

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NINETEEN hundred and twelve will witness a Presidential and Congressional Campaign of greater intensity and doubt and subject to more serious consequences than any in our recent history. For the first time in twenty years the Democrats will have hopes and even expectations of electing their ticket, and will in all likelihood wage the contest as a united, harmonious party. The faction which will not heartily accept the candidate and platform will be too weak and discredited to influence the result. It would seem that Wilson and Harmon are respectively too strong to permit the nomination of the other under the two-thirds rule, while Clark, Underwood and Bryan are impossibilities, and the nomination will eventually go to some man like Marshall who if not now acceptable to all is at least not objectionable to any.

For the Republicans, Mr. Taft will be nominated on the first ballot but with a faction of the party left which would be glad to see him defeated at the polls, and strong enough to make many states doubtful that would otherwise be safely put in the Republican column.

The main issue will be the Tariff, followed closely by questions of so-called anti-trust legislation, economy and efficiency. The Republicans will present a party record of half a century culminating in the record of Mr. Taft, while the Democrats will present the usual promises and pretenses which really mean a desire for offices and a division of spoils.

Mr. Taft will be nominated because he is the logical candidate, because he deserves a second term, and because the people want him to continue the work so well begun which can not be completed in a single term.

A brief survey of the work to date will emphasize this assertion. First, as to appointments. No President has ever had more impor-



FRANCIS CURTIS,  
Director of the Literary Bureau of the Republican  
Congressional Committee.

1760

tant appointments to make, and no President has ever approached and completed the task with such calm, judicial deliberation and with the determination and courage to select the man best fitted for the place, regardless of any other consideration, whatever. This has particularly been shown in the naming of a Chief Justice and Associate Justices of the Supreme Court and in other judicial appointments, as well as of every minor official. Second, as to economy and efficiency. This has been exemplified to a greater degree during the present administration than ever before in our history. Our constantly increasing population and increased needs for expenditures make a normal increase each year almost unavoidable, and yet President Taft and his advisers have actually succeeded in substantially reducing the expenses of the Government, while at the same time its efficiency has increased. The President has set a precedent in sending to Congress a number of short messages dealing with single subjects, instead of one long, voluminous message. This course has met with universal approval.

Again, Mr. Taft is a big, generous-hearted, broad-minded, whole-souled man, who has gone among the people of almost every State, has learned their views and their wants and has tried to respond, so far as in him lay, to their wishes. But our country is vast in its length and breadth, most diversified in its resources and products, and has a population of 90,000,000 souls, no two of whom think exactly alike. It would be impossible for a President, proscribed by statutes and limited in power, to please every citizen, every State or every section. No President ever has been successful in such endeavor, none ever will be. History within memory tells of the dissatisfaction of certain classes with Lincoln, with Grant, with Hayes, with Garfield, with Cleveland, with Harrison, with McKinley, with Roosevelt; and so it is with Taft. Probably the most disagreeable task which confronts an administration is the execution of an obnoxious or unsatisfactory law—yet the duty of the Executive is plain and the law, not the Executive, should be blamed, but a thoughtless people do the opposite. The Sherman law never was and never will be satisfactory in its present provisions and lack of provisions, but its terms must be carried out until a wiser, more equitable statute takes its place.

A tariff law can not be equally acceptable to all our varied interests. We have a large and rich and influential importing class, backed by the periodicals which their advertisements in large

part sustain, who will always oppose the adequate protection to our labor and industries necessary to maintain our high standard of living, necessary to insure the doing our own work, necessary to protect us against the cheaper cost of production abroad. This importing class is supported by a professional class entirely ignorant of the practical side of industry, and to these we must add the descendants of the free-trade class of seventy-five years ago whose ranks are gradually becoming thinner but are still numerous enough to keep the Tariff question the main issue of American politics. The question, however, has never been more clearly defined. Out and out free traders now form but a small class. The pretense of the Democratic party today is found in the term, a tariff-for-revenue-only, but which in execution would result in the same old free trade that is enjoyed or endured when imports displace home production.

All Republicans agree in the tariff plank of the last platform which says:

"In all tariff legislation the true principle of protection is best maintained by the imposition of such duties as will equal the difference between the cost of production at home and abroad, together with a reasonable profit to American industries."

although they do not agree in the detail of its interpretation.

It is to be seen whether an agreement can be reached in the framing of a bill or bills founded on the figures presented by the Tariff Board, and therein will come either harmony or dissension to influence the result of next November. Mr. Taft is a protectionist, the Republican party is a protectionist party, and the majority of the voters of the country are protectionists, but a contract for a page advertisement multiplied by fifty-two and this multiplied by a thousand or more is a powerful enemy for the domestic producer and laborer to combat.

Republican leaders believe that Mr. Taft will be reëlected and with him a Republican majority in the next House of Representatives, but the concession must be made that there is to be a strenuous campaign with many elements that make the outlook uncertain.

The Republican party has outlived many factional defections. In 1864, in 1872, in 1884, and in 1896 it lost a decaying branch and was the stronger for the severance. But in 1912 it will be different. The insurgent branch is virile, its leaders are ambitious and possessed of a spirit of rule or ruin that may check the

There will be in the next electoral college 531 votes, making 266 necessary to elect. Let us now make up a tentative table showing possible or probable divisions:

247

<b>Republicans . . . . .</b>	<b>262</b>
<b>Democrats . . . . .</b>	<b>256</b>
<b>Wisconsin . . . . .</b>	<b>13</b>



Now suppose Wisconsin should give her electoral vote to either a Socialist or an Insurgent ticket. The election for President would then be thrown into the House of Representatives, as no candidate would receive a majority. Several other combinations might bring the same result. The Constitution says regarding the counting of the electoral vote:

"The President of the Senate shall, in the presence of the Senate and House of Representatives, open all the certificates, and the votes shall then be counted; the person having the greatest number of votes for President shall be President, if such number be a majority of the whole number of electors appointed; and if no person have such majority, then from the persons having the highest numbers, not exceeding three, on the list of those voted for as President, the House of Representatives shall choose immediately, by ballot, the President. But in choosing the President, the votes shall be taken by States, the representation from each State having one vote; a quorum for this purpose shall consist of a member or members from two-thirds of the States, and a majority of all the States shall be necessary to a choice."

It will now be in order to present the political complexion of the House of Representatives where the election of a President would be thrown. It is as follows:

REPUBLICAN.	DEMOCRATIC.	BLANK.
California	Alabama	<i>Because of Congressional representation being equally divided.</i>
Connecticut	Arizona	
Delaware	Arkansas	
Idaho	Colorado	
Illinois	Florida	
Iowa	Georgia	
Kansas	Indiana	
Massachusetts	Kentucky	
Michigan	Louisiana	
Minnesota	Maryland	
Montana	Mississippi	New Mexico
Nevada	Missouri	Rhode Island
New Hampshire	New Jersey	Nebraska—4
North Dakota	New York	
Oregon	North Carolina	
Pennsylvania	Ohio	
South Dakota	Oklahoma	
Utah	South Carolina	
Vermont	Tennessee	
Washington	Texas	
Wisconsin	Virginia	
Wyoming—22	West Virginia—22.	

It will be seen that a majority of all the States could not be

obtained for any candidate and consequently there would be no election.

In the meantime the Senate would have proceeded with the election of a Vice President in accordance with the following provision of the Constitution:

"The person having the greatest number of votes as Vice President shall be the Vice President, if such number be a majority of the whole number of electors appointed, and if no person have a majority, then from the two highest numbers on the list the Senate shall choose the Vice President; a quorum for the purpose shall consist of two-thirds of the whole number of Senators, and a majority of the whole number shall be necessary to a choice."

As the Senate is Republican by a majority of eight, it can be assumed that the Republican candidate would be chosen. The 4th of March having arrived without the election of a President by the House of Representatives, the Vice President elect would become President in accordance with the following provision of the Constitution:

"And if the House of Representatives shall not choose a President, whenever the right of choice shall devolve upon them, before the fourth day of March next following, then the Vice President shall act as President, as in the case of the death or other constitutional disability of the President."

It is not impossible, then, that the candidate for Vice President on the Republican ticket may be our next President, however remote may be the probability.

Three times in our history, in 1801, 1825 and 1877, the President of the United States has been chosen at the National Capitol. It behooves the delegates at the Republican convention to select as their candidate for Vice President a man who would make a satisfactory President in any contingency, but to avoid any such situation as has been described it should become the duty of every Republican voter to meet his obligations at the polls on the 5th of next November.

A large, elegant handwritten signature in black ink, reading "Francis Curtis". The signature is written in a cursive style with a long, sweeping underline that extends to the right.

# Editorial

## NO WALKOVER.

*(New York World.)*

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MR. TAFT had a popular plurality of 1,269,804 in the election of 1908.

This plurality will have to be overcome if a Democratic President is elected next fall. It means a change of more than 600,000 votes.

The Democrats had 162 votes in the Electoral College of 1908. They must have 266 votes in the next Electoral College in order to win.

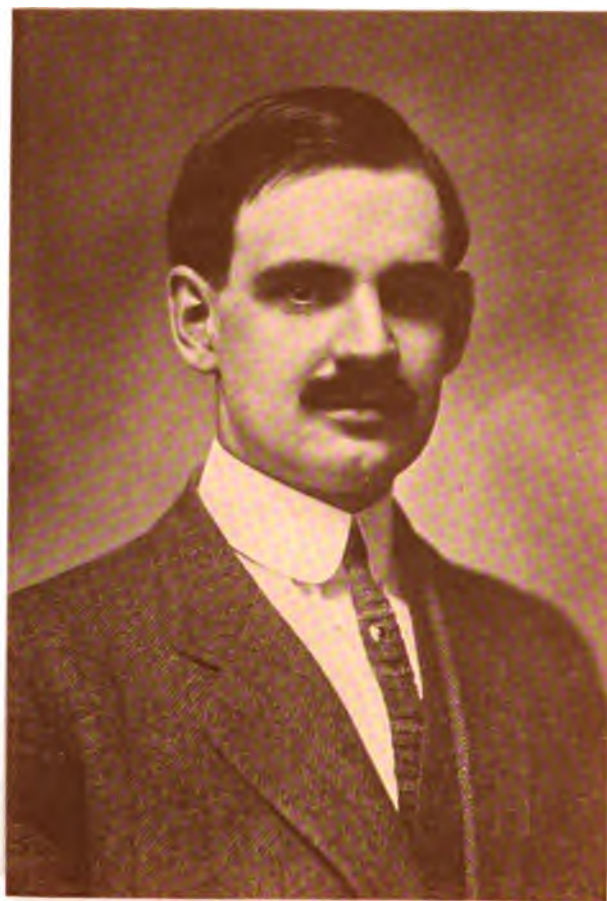
The stereotyped reply to these statistics will be that Mr. Bryan was a weak candidate. This is true. In comparison with Democratic opportunity, Mr. Bryan was indeed a weak candidate, but Mr. Bryan polled 6,409,104 votes. This was 1,300,000 more than Judge Parker polled in 1904. It was 852,186 more than the Cleveland vote in 1892. It has been exceeded only by the vote for Mr. Bryan himself in 1896.

Democrats who talk as if the next election would be a walkover do not realize the size of the Republican majorities that must be overcome. Roosevelt's popular plurality in 1904 was 2,545,515. McKinley's popular plurality in 1900 was 849,790 and in 1896 it was 601,854. In 1892, the great Democratic landslide year, Cleveland's popular plurality was only 380,810, and yet he had a popular plurality of only 98,017 to overcome from the previous election.

In four successive Presidential elections the Republican candidate for President has polled more than 7,000,000 votes. Mr. Taft was by no means a strong candidate in 1908, yet he polled more votes than Roosevelt received in 1904, and the brute force of these recurrent Republican majorities constitutes a tremendous handicap upon any Democratic candidate.

If the Democrats think the next election is as good as won they are sadly mistaken. They have a fight on their hands whether or not Mr. Taft is renominated.

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ERNEST CAWCROFT.

1008

## A NEW ECONOMIC DEPARTURE.

BY ERNEST CAWCROFT.

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ECONOMIC progress by means of constitutional amendment seems to be the method of the day. This effort of the people to initiate economic reforms by means of alterations in their fundamental instruments, rather than by change in their statutes, is due to two situations: First, the people in several of the States have reserved unto themselves the right to exercise a referendum in relation to certain types of constructive legislation, and in every instance they have provided the privilege of determining whether or not fundamental alterations shall be made in their respective constitutions—thus the people of these particular States have been placed in a position to pass upon certain economic reforms in the guise of constitutional changes, which do not and could not receive their direct consideration, sanction or rejection in the form of revised statutes. The people of the State of New York have thus no right to vote upon a proposed Employers' Compensation Act, but they would possess that privilege were the proposition shaped into the form of a constitutional amendment making it mandatory upon the legislature to adopt constructive legislation of that type. In the second instance, the conviction has become widespread that economic progress by means of statutory enactments may afford but temporary or doubtful relief for the evil in mind, in view of the fact that after public pressure has given form to policies through legislative enactments the battle must be renewed in the courts. In a government where the powers are divided and in partial conflict, the people are compelled to merge their powers of self-government in the hope of securing the desired economic reforms by constitutional change. Indeed, the fact can not be overlooked that the economic reforms demanded by the American people in their city, state and national govern-

ments, and at the points where those governments severally or concurrently touch modern business enterprise, necessitate, in the majority of instances, alterations in the fundamental compact. In other words, the people of the United States, in demanding that their government give effective sanction to many of the remedial economic measures adopted in England and Germany, find that, unlike those nations, the establishment of such reforms involves statutory and constitutional change. An economic policy is adopted as an act of Parliament in the United Kingdom, and by that fact it becomes a statute and assumes the force of a constitutional precedent; a programme of social legislation receives the sanction of the Imperial legislative body in Germany, and not even the contention of one or two provinces that the enactment violates the rights which those particular provinces reserved, when Bismarck was welding together the confederation, serves to estop the application of the plan. I am not arguing either for or against a government of divided or merged powers, or for or against a government whose unquestioned sovereignty inheres in a Congress or a Parliament unlimited by a judicial tribunal; but these citations are made for the distinct purpose of emphasizing the conviction that the time has arrived to give to many of the progressive economic policies of these States and this United States the force of a constitutional amendment.

This power of a constitutional amendment to give vigor to a policy of economic progress was illustrated during the course of the recent elections in New York and Massachusetts. In addition to the constitutional convention every two decades, the people of each of these States have reserved to themselves the right to exercise a referendum on certain types of constructive and money legislation; and perforce, there must reside in the people of these States the power to sanction or reject changes in the constitutions which their forefathers drafted. The exercise of this power in connection with a forward economic policy needing constitutional sanction was illustrated during the recent State election in connection with the so-called Surplus Land Acts.

American cities grow by centripetal and centrifugal forces. Those who are making and selling goods within a city want more help and additional purchasers—they render both possible by building bridges, erecting school houses and laying pave-

ments and sewers; then there are those who are looking for a broader or better field in which to thrive, and when they find a city which in part meets both the demands of self-interest and of sentiment, they are inclined to move that way. Thus the public improvement of the American municipality has become a matter of civic pride impelled by the power of self-interest. The people of these cities have needed parks, and enterprising speculators have used the power of their right hands to induce the cities to lay out the municipal breathing places, while they have utilized the force of their left in securing options on the land adjacent to the park-to-be. For instance, a section of a city has been, perhaps, three miles from the business center when the pedestrian walked to it by the old bridge, but enterprising real estate speculators have aided their city and boomed their own land values by securing the construction of a new bridge which made the suburb and the business section only one mile apart.

Such are the twin forces that have been at work during the past seventy-five years in the creation of the American cities—but always at the expense of the people therein. The fact that these municipal improvements made money for the real estate speculators and took money from the taxpayers in the first instance is the real basis of the constitutional amendments now to be outlined.

Right here it is pertinent to point out that the political aspects of public improvements have become as well-defined as the connection of franchise holders and political machines during the last fifteen years in the larger American cities. The business of securing the taxpayers' money to spend on public improvements in the vicinity of your land, and then of selling your land at an enhanced value to the fellow who just paid part of the tax, has become one of the lucrative abuses of this generation. Economists have sought to found a social system on the unearned increment; but practical men, who have combined politics and pavements, have been founding their fortunes on it. In the interval the burden of municipal taxation on productive industry has become alarming, and, the manufacturer and mercantile men have become convinced that as the public will not countenance any diminution in the accepted scope of a modern city, an effort must be made to reduce taxation by increased governmental efficiency, coupled with an absorption for public



purposes of those values which exist, or are created, by the will or the being of the community. Thus, while every tool known to business is being used by the modern city on one hand, the taxation of franchise and community values is becoming the order of the day on the other.

This movement in its broader aspects received the consideration of the people of New York and Massachusetts when, in the course of the November election, they voted upon constitutional amendments designed to authorize legislation empowering municipal corporations to condemn and take lands adjacent to particular tracts desired for public improvements. The people of the State of New York summarized their Bill of Rights in Section 6 of Article II of the State Constitution, and how precious they regarded the fundamental rights under discussion may be gleaned from the fact that they added to this section the words: "Nor shall private property be taken for public use without just compensation." And at the November election the people of New York exercised a referendum upon the proposal to add the following words to that portion of the Bill of Rights: "When private property shall be taken for public use by a municipal corporation, additional adjoining or neighboring property may be taken under conditions to be prescribed by the legislature by general law. Property thus taken shall be deemed to be taken for public use." While the people of the Empire State were voting on this proposition to change their fundamental law, the citizens of the Old Bay Commonwealth were voting in favor of an amendment to their charter of rights, framed in these words: "The legislature may by special acts for the purpose of laying out, widening or relocating highways or streets, authorize the taking in fee by the commonwealth, or by a county, city or town, of more land and property than are needed for the actual construction of such highway or street; provided, however, that the land and property authorized to be taken are specified in the act and are no more in extent than would be sufficient for suitable building lots on both sides of such highway or street, and after so much of the land or property has been appropriated for such highway or street as is needed therefor, may authorize the sale of the remainder for value with or without suitable restrictions."

The Massachusetts amendment does not give that broad power to the legislative body which is contained in the New

York proviso; but it is pertinent to note the fact that the Old Bay State amendment is just one step forward along the path traversed by that Commonwealth during the past fifteen years. And these progressive steps, in the direction of limiting assumed private property rights in the interest of the public welfare, have received the sanction of the State and National courts. The statute authorizing the city of Boston to limit the height of hotels and apartment houses, and the subsequent legislation empowering the cities of Massachusetts to determine the various land zones within a particular city and to fix the type or standard of buildings permissible in each area, received, first, the approval of the State courts and, finally, the sanction of the United States Supreme Court. And apart from the fact that that court is pledged to accept the interpretation of a statute given to it by the highest court of a particular State, unless there be preponderant reasons to the contrary, or the statute is plainly violative of the rights guaranteed to the several States, or the citizens thereof, by the United States, the judicial approval which the highest court of the land placed on this particular legislation will be one of the pivots of discussion in connection with the legislation which will follow the adoption of these constitutional amendments.

But the possibility of extensive legislation in this direction by reason of the broader powers given the legislature by the New York amendment, and in consideration of the larger interests at stake in this conservative State of the Union, it is timely to view the judicial interpretation of the existing proviso that "private property shall not be taken for public use without just compensation," in the hope that it will shed some light upon the limits of the acts which may be enacted under the constitutional amendment authorizing the taking of lands adjoining those secured for the purpose of municipal improvements.

It must be borne in mind as a primary proposition, and as declared by the Court of Appeals in 135 New York 253, that neither the existing nor the amended proviso means that private property may be taken for private use. In 98 New York, page 139, the Court pointed out that the legislative determination as to whether or no the land is to be taken for public use is not conclusive. Later, in 108 New York, the court expressed the conclusion that "the question as to whether the uses are, in fact, public, so as to justify the taking, is a judicial one

to be determined by the courts." In connection with the application of a rural cemetery association to take lands under legislative grant, the court, in 1876, remarked: "The question whether the use for which private property is sought to be taken, under and by the exercise of the right of eminent domain, is public or private, is a judicial one to be determined by the courts; the grant by the legislature of the right to take is not conclusive evidence that the use is a public one." In 128 New York, on page 347, the court declared that the question as to whether particular property is to be taken for public or private use is not finally determined by any declaration of the law-making power as to the nature of the use. In reviewing, in the course of judicial proceedings, specific cases pivoting on the use to which the described property was to be put, the New York Court of Appeals has ruled that the "use is not private, although the land taken (for a street) may be made more valuable under provisions of law" (135 N. Y. 263). "The legislature may empower a corporation which has acquired lands for public use to devote them to a different public use, even though it is already devoted to a similar use" (143 N. Y. 597).

Thus the courts of New York, in addition to placing their approval upon particular appropriations of private lands as the basis of public projects, have also made it clear that the question of use is a judicial one under the existing constitution; "it must in fact be public, and if it be not, no legislative fiat can make it so, and any owner of property attempted to be taken for a use really private can invoke the aid of the courts to protect his property rights against invasion."

But in considering the possibilities and prohibitions connected with legislation under the recent amendment, it must be borne in mind: first, that any statute is limited by the amendment, to enlarging the powers of municipal corporations; secondly, the property adjacent to the site of a proposed public improvement may be taken but always upon the express condition that in the future, as at present, the property to be actually taken is for a public use; thirdly, the amendment declares that surplus or adjacent property thus taken "shall be deemed to be taken for public use," and while that eliminates disputes as to that feature of this economic departure, it in no way invades the right of a property owner to ask the courts to determine whether when his land is to be taken the initial appropriation is for a public

or private use. It is evident, then, that while the New York cities may in the future absorb the values given to the land adjacent to a public project, the long line of judicial decisions operative with unimpaired vigor even under the amendment, in determining the question of use, will prevent municipalities from running amuck in the real estate business.

Nor will this New York amendment, when considered as a link in a chain of public events, seem a too radical economic and constitutional departure. There has been an increasing effort upon the part of the State and the several cities to prevent individuals from profiting by reason of public improvements, or rather to compel those individuals to turn over the profits accruing to them, not by virtue of their efforts, but in consequence of community-projects. Witness the spread of the abutting property plan of dividing the expense of pavements and then the justifiable corollary of legislatures and courts limiting such assessments for abutting improvements to a proportionate part of the benefits received. Then, the courts in an earlier day sanctioned the plan of the city of Brooklyn to assess the cost of a new park on a given tax district in view of the benefits and enhanced land values accruing to that section. And did not the Court of Appeals verge on judicial legislation along these lines when it approved the decision of the city of Rochester to sell, at auction, lands adjacent to a park which had been appropriated for the purpose of enlarging the original park, and then abandoned as part of that project? Not less indicative of the intention of sovereign bodies and their agents to take unto the public those values accruing, existing and continuing by virtue of continuing popular activities, was the passage of the special franchise tax law, and the subsequent insertion in the Public Service Commission of a proviso prohibiting utility corporations from issuing securities on the basis of their capitalized franchise values.

Municipal government is not the only thing which the Germans have reduced to a science. Thus the expense of modernizing many of the cities of the Fatherland has been met by appropriating all the land in the vicinity of a proposed public improvement and, after the completion of the project, selling the surplus area at an increased value more than sufficient to meet the expenditure. Leslie C. Wead, in his report to the Boston Chamber of Commerce, relative to the Massachusetts

amendment said: "The British Parliament, unhampered by constitutional restrictions, has granted municipalities which are subject to its control the right to acquire by purchase or by compulsory taking wide areas of land in congested districts for such purposes as wiping out a slum district and thus promoting the public health; providing homes for the laboring classes; establishing playgrounds; opening new thoroughfares. For this latter purpose, permission has been granted repeatedly to the London County Council to take land in amount greatly in excess of that required for the streets which are to be opened or widened. These operations have been so successful over a period of many years that in 1899, after long and earnest study and agitation, authority was given for the construction of the great highway between Holborn and the Strand, known as the "King's Way," at a cost exceeding five million pounds. Lord Monkswell, the chairman of the London County Council, in discussing the method employed, assured me that "no important public work would be undertaken in London requiring the acquisition of land, except with the right to take large areas for re-sale or lease."

"The object of such action is two-fold—to control the character of the improvements, and to save for the municipalities the enhanced value of the land consequent upon the improvement.

"Under our procedure, the first advantage is entirely lost; and we seek to obtain the second through the unsatisfactory operation of the law providing for the assessment and collection of betterments on surrounding property."

But in seeking a clear understanding of this movement of governments to absorb the values created by public effort, one must not dissociate it from the effort to distinguish between community values and improvement values for purposes of taxation. Here in the conservative cities of the East, assessors are listing land values and improvements in separate columns. And what is the tendency and meaning of this division for purpose of taxation? The cities of Western Canada afford the answer. The citizens of Western Canada, in their twin effort to start a new deal on a square basis, and to grasp the large opportunities for the individual and common good, are trying out these experimental economic policies. Thus Vancouver last year confined taxation to land values, and thrived; Edmonton increased

in population from 2,652 in 1901 to 30,000 in 1911, and the assessed valuation of the town was increased from seven million dollars in 1905 to forty-six millions in 1911. While public improvements have been underway in every district of that city, land values have soared as population increased. But while Edmonton has been creating these community values, the city commissioners have developed a policy to meet in part the situation. When the city was incorporated in 1904 a land value was assigned and business and income taxes were levied. Later these business and income taxes were abandoned, and now the revenues of the town are secured by taxing land values; no man is taxed for the individual effort which he puts into the improvement of his property.

Situated at the head of Lake Superior, and the grain port of interior Canada, the city of Port Arthur has entered upon a definite policy reserving its interest in franchise and other public values, in order that their use as the basis of municipal taxation will make the town inviting to productive industries. The city of Regina reserved the land first instead of appropriating by the power of eminent domain later, and the increase in the sale value of the land thus retained in the heart of the city has provided pavements, sewers, schools and other public buildings, without expense to the taxpayers. The experience of Moose Jaw has been along similar lines.

The Government of Canada and the Grand Trunk Pacific Company are working under a joint arrangement to connect the Atlantic with Prince Rupert on the northern coast of British Columbia. This joint arrangement was a compromise between the demand for public ownership and the fear of inefficient governmental operation. But when the time arrived for defining the policy of government in connection with the project of connecting the trans-continents of the Saskatchewan Valley with Hudson's Bay, Laurier made it clear that the ministry intended to construct the railway to Hudson's Bay and then sell the lands adjacent to the government railroad at an increased value sufficient to pay the bonds issued for construction purposes. What is this, then, but the declared plan of the Dominion Government to meet the expense of a public railway by the application of those economic principles embodied in the New York and Massachusetts amendments?

We are in a period when the burden of State and mu-

municipal taxation totals between two and three per cent. upon the assessed valuation. This has become a factor in the unit of productive costs in every manufacturing plant. The day has arrived when community values, rather than wealth due to individual initiative and exertion, must bear the burden of city government to an increasing degree, lest the undue burden on productive plants diminishes the power of those enterprises to make such prices on manufactured articles as will compete with international rivals. No man need prophesy as to the ultimate legislation, or constitutional changes, to follow the New York and Massachusetts amendments; but that these amendments will render possible the conservative application of progressive economic principles, subject to the limitations of existing judicial decisions, must be no less apparent to the economist than are the business features of the plan evident to the taxpayer, who does not think that public projects should be the basis of private land speculation; or to the many men who are penalized by taxation for building better homes, or larger factories, while the public values, which their efforts combine to create, pass untaxed into private hands.

This subject is one of far-reaching importance because it marks the adoption of a new economic departure in the interests of the people at large. The trend in all civilized communities is to make community values bear an increasing share in municipal expenses for improvements and public betterment.

*Ernest Cavcroft*

# Editorial

## AN AMENDMENT DESERVING OF SUPPORT.

*(Boston Chamber of Commerce Monthly.)*

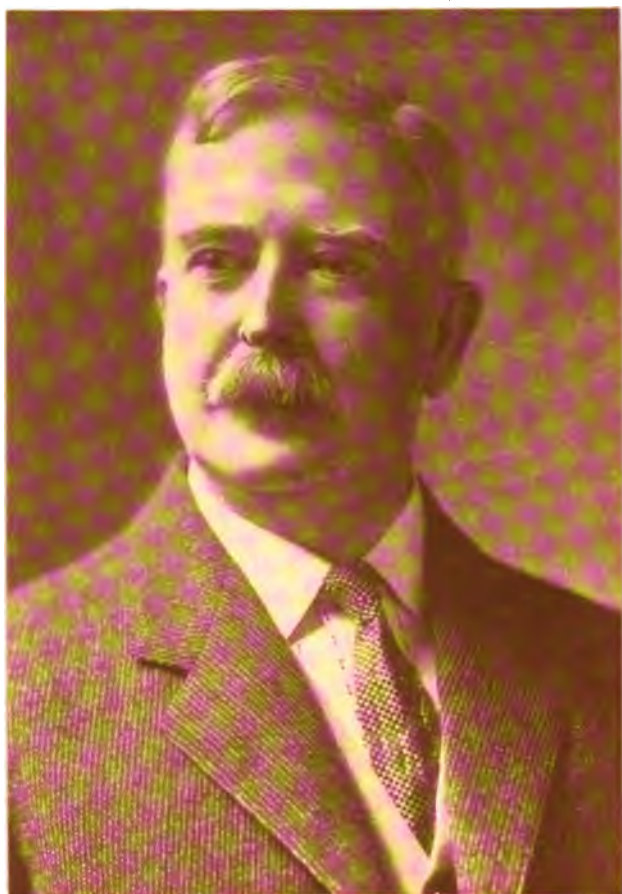
THE pending proposal to alter the constitution of the Commonwealth so that the Legislature may, in certain property takings, give the city of Boston and other cities of the State larger powers than has hitherto been possible is one which seems to deserve hearty support at the coming elections. As the constitution of the Commonwealth now stands it is not permissible for the Legislature to empower any city to take by eminent domain any greater area of private land than is actually needed for public improvements. This was formerly understood to mean that if a public body like the Metropolitan Park Commission needed only a part of a private lot in its work, it could file a taking of such part only. But some years ago the Supreme Judicial Court ruled that where public authorities were exercising the right of eminent domain under statutory grant, they might take whole lots wherever any part of such lots were needed and might re-sell the balance after the work was done. This has given the city authorities a little more leeway; but inability to expropriate lands which merely adjoin proposed street improvements has been a great obstacle in the way of large municipal undertakings. It has been found, after a new street has been constructed or an old street widened, that the abutting properties are almost invariably parcelled into small plots inadequate for proper building improvement. Likewise these plots are in the hands of various owners and any one who has had much real estate experience knows how difficult the consolidation of these ownerships very frequently is.

The proposed amendment would permit the city of Boston to take in fee by a special legislative act more land than is actually required for any street improvement, but not more than would be sufficient for suitable building lots on both sides of such high-



way. There is of course an obvious objection to anything which would permit the municipal authorities to indulge in any carnival of land speculation under the guise of a public improvement, but the safeguards which will still remain, if the proposed amendment be adopted, seem sufficient to preclude anything of that sort. The amendment aims to give to Massachusetts cities powers which are exercised by cities in other states and countries, and which have stimulated municipal enterprise in these. If any of the projects outlined in the report of the Metropolitan Improvements Commission a couple of years ago are ever to be successfully undertaken, the cities of the metropolitan district must have greater powers of land-taking than they now possess.

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EMMET O'NEAL,  
Governor of Alabama.

## A STUDY OF THE INITIATIVE AND THE REFERENDUM.

BY EMMET O'NEAL.

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AT this time of political unrest and of proposals for a change in those principles of business probity and conservative government upon which are based the power of our Republic, I shall endeavor in this article to defend the scheme of our institutions which has stood as a bulwark of strength against the encroachments of arbitrary power and the oppressions of the inconstant numerical majority.

To no enlightened people can any subject be of more vital moment than the making of the laws under which they are to live and under which they expect to enjoy those rights and liberties that are not only necessary to human happiness, but essential to a developing civilization.

The empiricism of political doctrinaires and the vicious experiments of political charlatans have ever been the deadly foes of wise, stable and salutary legislation; yet there must be a law-making body, composed of the people themselves, acting either directly in their organic capacity or through chosen representatives. Fully recognizing that fact, the wise men who framed the Constitution of the United States, after mature reflection, thorough investigation and debate, unanimously discarded the system of direct legislation and established a representative republic as contradistinguished from a social or pure democracy. The warning lessons of history had taught them that the so-called republics of ancient and modern times, through the absence of the representative principle, had ever been found, as Madison declared, "Spectacles of turbulence and contention, incompatible with personal security or the rights of property, and had in general been as short in their lives as they had been violent in their deaths."

It has been fashionable of late years for many who masquerade under the title of progressives to speak in sneering terms of the men who established our system of free government, yet those men had a genius for constitution-making unequalled in any other age of the world. They were not only profound students of history but were free from party bias, passion or prejudice. They had accomplished successfully a revolution against the greatest military naval power of the world. They were of English stock, but, bred under new conditions, they had inherited as their birth-right a love of liberty and a hatred of oppression. It has been truly said that no body of men ever gathered together in history had a sublimer trust in the wisdom and eternal capacity of the people for self-government. At the same time they were profoundly impressed with the conviction that there never was a republic, as formerly constituted, which had not terminated "its fugitive and turbulent existence" with the destruction of the liberties of the people. They agreed with the sentiment voiced by Governor Wilson, when he declared that the doctrine of representation in government, which was altogether unknown to the ancients, was essential to every system that would possess the qualities of freedom, wisdom and energy. They had renounced the divine right of kings, but were unwilling to establish the divine right of majorities. Direct action by the people they deprecated, for they were seeking to erect a government to endure for all time, "a government of laws and not of men."

In embodying in the constitution the guarantee of a republican form of government, they could have had no other purpose than to interpose a barrier against the encroachments of such revolutionary political vagaries as the initiative and referendum. I, therefore, unhesitatingly assert that a study of the history of our government clearly establishes that those who claim to be inspired by a wise spirit of progress and profess only a purpose to restore popular government by the introduction of the system of initiative and referendum are reactionaries, guilty of the folly of attempting to revive a doctrine unanimously repudiated by the wisdom of the Fathers. They seek not merely a change of laws or established policies, which if unwise could be readily repealed, but they undertake so to alter the fundamental law of each State as to weaken or overthrow the representative principle and inaugurate a radical revolution of the basic principles on which the fabric of American government rests.

I admit that it is seriously claimed that the initiative and the referendum would not cause an abandonment of representative government, but no candid mind can doubt that a legislative body, with its functions and prerogatives exercised by the people at large, would not long exist except in name. The weakening of its powers and the loss of its dignity and responsibility would be the inevitable precursor of its decline, speedily followed by the complete breakdown of the representative principle.

Any constitutional provision which weakens or impairs the power and efficiency of either of the three coördinate departments of government must necessarily weaken and impair the efficiency and harmonious action of the whole. Each acts as check upon the other, and if the power and vigor of any department be impaired or overthrown it necessarily unduly increases the power of the others, thus destroying that harmonious system of checks and balances which is the distinguishing feature of our constitutional system. Wise and just legislation can not be the product of haste, passion or immature judgment. To overcome the evil effects of sudden and strong excitement and of precipitate measures, springing from caprice, prejudice, personal influence and selfish interests, the representative system was established. That deliberation, investigation and judicial consideration which is essential to the enactment of wise laws is secured by those provisions found in every State constitution, which in mandatory terms require each bill to be submitted not alone to one deliberative body but in turn to each of two, and to be considered by each on three successive days.

The division, therefore, of the legislative department into two separate and independent branches, constitutes one of the most important features of our system of government. One is generally composed of men who, by reason of their short terms and frequent elections, are always fresh from the body of the people and are readily responsive to every pressure of public opinion. The period of their delegated authority is too brief for independent judgment to overcome their susceptibility to the popular will. The members of the other body, selected by a larger constituency, representing more varied interests and further removed by their longer terms from the passions or the follies of the hour, may justly be expected to exercise with courage, independence and judgment, a corrective influence upon legislation born of demagogical prejudice, inspired by unwise or visionary politi-

cal theorists, or based upon some Utopian dream. The tendency of the one is to impulsive action, and of the other to conservatism; and out of this contest of opposing forces and this clash of conflicting thought illumined by debate and informed by investigation, come of necessity laws, into the construction of which there enter not only the will of the people but those elements of moderation, justice and wisdom, and that due regard for the rights of the minority, which are inseparable from wise and just legislation.

Yet we are asked, through the system of the initiative and the referendum, to abandon every safeguard with which experience and wisdom have surrounded the making of our laws. We are invited to substitute for those representative bodies—whose members through the usually required qualifications of a fixed period of residence and the attainment of a certain age are presumed to have some familiarity with the spirit of our institutions, to have reached maturity of judgment, and to possess at least average ability and character,—the system of direct legislation by the whole body of the people, including the criminal, the adolescent, the indifferent, and the retainers of special interests.

On the false and specious pretext of restoring popular rule and correcting the evils of the representative system we are asked to exchange for the deliberate examination to which legislative bills are subjected and through which fatal defects and artfully concealed dangers are so frequently discovered, the passions, the prejudices and the partisan bias upon which every popular campaign develops, substituting for the information of debate the appeal of the demagogues; and exchanging for the opportunity of amendment, the categorical Yes and No, with which, under the initiative, the voter must meet the subtle and involved proposals of special interests or the wild schemes of visionary reformers.

We do not show distrust of the people by heeding the unequivocal language of experience, and by refusing to exchange the independent, unrestrained and unrestricted action of the numerical majority for that deliberation, independence and conservatism which come from subjecting every law to the critical and jealous revision of two legislative chambers and by which unwise and dangerous measures are less apt to proceed to the solemnities of law.

Through the operation of the initiative a further and more

potent check on intemperate legislation is removed by eliminating the power of the executive to amend or veto any measure enacted by direct vote of the people. Through the power to propose, amend or veto legislation, conferred by the express terms of almost every American constitution, the executive is made a part of the law-making department and is placed on guard to protect the interests of the people against the enactment or evil effects of unjust, unwise or vicious legislation. Under the system of the initiative, both the executive and legislative departments are shorn of their constitutional powers. Initiated and enacted by direct vote of the people, however unwise a law may be, however much it may destroy the rights of property, invade constitutional guarantees or impair personal liberty, the executive is powerless to intervene to protect the people against the blow, which from the folly or madness of the hour they might aim at themselves. The only recourse would be the courts, which, where the system of recall prevails, destroying judicial independence, would be more apt to register popular opinion than to enunciate decisions based upon well-settled principles of law. The messages of the governors of the various States, heretofore characterized by boldness and independence of thought and useful suggestions, resulting in so much wise and beneficent legislation, would largely cease to express their earnest and sincere convictions, and instead, would become merely a register of popular passion or prejudice and the suggestions of impractical theorists—the transient and misdirected forces of popular opinion.

It is established by the experience of every section that until abuses become intolerable, the demands of personal affairs are too absorbing and the burdens of that public duty which citizenship imposes upon the individual are too heavy or exacting to permit more than a mere perfunctory interest in public matters. In my judgment, therefore, the efficient cause for the larger part of our political ills and of the misgovernment that we may endure, or the treason that may develop in legislative bodies, lies in the indifference of the people themselves and not in their failure directly to participate in the making of the laws.

Whenever the people are aroused and demand a just relief legislatures are quick to hear and ready to obey. It is not through direct legislation but in an aroused public conscience, the growth of a stronger sense of civic duty, a more diligent



and watchful interest by the people over their own affairs, that we must rest our ultimate hope of permanent political reform. The forces of reform are too often shortlived, while the evil influences they may overcome generally arise from defeat with renewed vigor.

An antidote to this indifference of the people, and a safeguard almost sufficient in itself to overcome the existence of a venal or corrupt legislature, can be found in the high sense of official obligation, and the independent exercise by the great majority of American executives of the legislative functions vested in them by the constitutions of the States.

It seems to be assumed that under the system of the initiative only those laws would be proposed which a legislature under the control or domination of special or selfish interests would refuse to pass, and that all such rejected laws would be in the interest of the people. I can not bring myself to the adoption of this pleasing thought. I fear that with the advent of this political millennium, there would still remain, here and there, some unregenerate interests, some seeker for special privilege, whose desires, in imitation of the practices that prevailed in the older days, could still be concealed under the guise of some fair-seeming bill. It would be everybody's business to act as a committee to examine it, to expose its fallacies or to warn the public against its insidious purposes. The necessary result would be that nobody would give it careful scrutiny or supervision. It would not be subject to such amendment as wisdom or experience might suggest. It must be accepted or rejected in the exact form and terms in which it is proposed. It would not even be read aloud once in the presence of all whose duty it would be to vote upon it, and it might become a law by the vote of a single individual who had never read it until he cast his ballot. It is not improbable that there might be an astute or unscrupulous interest behind it, giving it secret aid and comfort, and although with a greedy legislature looking on from afar off, there would not be anyone, as was the Governor in former times before his power had been overthrown by this modern political reform, with the stated duty of protecting the public against its own indifference, or checking the misguided career of public opinion. There would be no magic, from the destruction or overthrow of the legislature, by which the ordinary citizen, to whom political duty is but an incident,

could be converted into an alert, vigilant and well-informed legislator. To qualify a citizen to vote intelligently upon a law involves a degree of investigation, attention to detail, and a quality of thought that will be voluntarily assumed only by the elector who appreciates to an extraordinary degree the duty which his citizenship imposes, or by an individual who has in the measure a personal interest not consistent with the public good.

With the initiative in operation, it would be the sheerest folly to suppose that the number of laws would come within the compass of the ordinary man's serious and considerate examination, and in the consideration of matters which furnish opportunity for demagogical appeals and class or racial prejudice, the very purpose for which government exists would often be defeated, and the rights of a helpless minority, no longer protected by the safeguards now secured by every American constitution, would be ruthlessly sacrificed.

I assume that no one will controvert the proposition that laws ought to be made in a spirit as impersonal, with a sense of duty as high, with a conscience as much bound by the solemnity of an oath, with a mind as much informed by argument and debate, and surrounded by an atmosphere as much removed from bias and passion as that in which they are construed and enforced.

To discard well-established methods of procedure by which truth is ascertained and justice administered in our criminal court and to submit the question of the guilt or innocence of a person charged with crime to the ballot of the electorate would shock the public conscience. Yet to say that men without any more responsibility than is imposed by their own sense of duty, influenced possibly by malice, prejudice or self-interest, without legal check or constitutional limitation, could by the mere power of a numerical majority take away the most sacred rights or impose the most intolerable burdens upon a helpless minority, would be equally shocking to every man whose sense of justice was not blunted by the poison of false and vicious political theories.

If the claim that opposition to the initiative discloses a distrust of the people be true, then there is no constitutional limitation by which the people restrain themselves that may not also be regarded as a reproach. Not a criminal statute has ever

been adopted which does not, in effect, affirm the possible existence of a class of people who may prove unworthy of public trust, and who might by their ballots, after the commission of a crime but before conviction, fasten upon their fellow-men an unjust and onerous law.

Opposition to the initiative then is not a declaration of distrust of the people but a recognition of the sound political truth that in the multitudinous interests and varied activities that go to make up the sum of a great people's life, there must be, to a qualified extent, delegations of public duties and well-considered divisions of public power and public responsibility. To combat this political heresy is not to distrust the people. We should ignore the unmistakable teaching of history if we failed to recognize that every nation that has achieved political and orderly liberty has done so through the representative system, and that every government which has abandoned it for the despotism of a monarchy, or for the turbulence, tyranny or uncertainty of an unlimited democracy, has fallen into decay and suffered the loss of its animating and sustaining principle. England's parliament has never yielded its prerogative, nor have her people ever established a commune. When the first gleam of political and civil liberty that ever lightened the darkness in which the Russian peasant moved made its appearance, it was contemporaneous with the establishment of a Duma.

Unless this political heresy of the initiative and the referendum is checked, the hosts of socialism, reinforced by selfish and time-serving politicians and recruited by all the elements of discontent, will soon direct their attacks against the Federal Government itself and gradually sap and undermine the foundations of our free institutions.

It is claimed by the advocates of the initiative that that system is necessary because representatives in the legislature can not be elected who are possessed of the capacity and fidelity to duty which fit them properly to perform the high functions of their great office. Such a position, it occurs to me, not only plainly evidences a distrust of the people, but is based on the assumption that the people are incapable of self-government. If it be true that the people are so sunk in abject subservience to political bosses, so tied to the wheels of the political machines, that unworthy legislators can alone be elected, where would be the limitation on the power of those bosses or of that political

machine to force through the same electorate the passage of any laws that their selfish interests might dictate, when every safeguard which now surrounds their enactment is removed?

As an American citizen, I am indeed proud to say that it is not true that the men who have represented the sovereignty of the States, who make the laws which protect us in our lives and property, who levy and disburse our taxes and frame our civil and criminal laws, are unworthy and corrupt. There may be isolated instances where members of the legislatures have betrayed the interests of the people, just as there have been isolated instances of wholesale corruption among the people in some localities, but the fault lies not in the system but in the frailties of human nature. The legislators of the various States of the Union have been, as a general rule, the picked and chosen men of the communities from which they have come, and have been honest, wise and patriotic.

From whose hands have come, during the century or more of our existence, those laws under which we have grown and prospered and held a higher measure of freedom than has ever come to the lot of any people? The statute books of the American States are filled with wise and beneficent laws, through the operation of which they have grown into great and powerful commonwealths. It was a great statesman, from whose lips words of idle or extravagant praise never fell, who said:

"The statute books of these commonwealths can be read by the patriotic without a blush. I am not afraid to compare them with the two hundred parliaments through which for eight hundred years the freedom of England has broadened down from precedent to precedent."

Members of the legislatures of the different States are the agents and direct representatives of the people, and if it be true that as a whole they are incompetent, unworthy and corrupt it would follow necessarily that the masses of the people from whom they spring and from whom they are selected were also either corrupt or criminally indifferent to their interests or liberties. They possess the same characteristics as the people from whom they have come, and if, after repeated trials and selections, the community can not secure an intelligent and honest man to represent it, I should not like to live under laws initiated or adopted by the sovereignty of that people.

It is a sound governmental principle that political power should always be accompanied with responsibility located and

identified. Where responsibility can not be placed it does not exist, and an irresponsible power in government inevitably leads to oppression or the loss of liberty. That this responsibility shall not be evaded under our representative system of government, the constitution of every State requires that the legislative record shall disclose the presence or the absence of each legislator, his vote and his position on every bill. Where, in the system of the initiative, would this sobering knowledge of responsibility rest? What right would one citizen have to call another to account? Each would represent only himself, and with the utter lack of responsibility on the part of the law-making body arbitrary and irresponsible power would be enthroned and the reign of anarchy commence.

We should not overlook the fact that under the initiative, wherever introduced, the State constitutions can be altered or amended with greater ease and facility than even an ordinary statute under the present representative system. No submission of the proposed amendment by a two-thirds vote of the legislature is required. A small per cent. of the voters can at any time propose the most radical or far-reaching constitutional changes and the fundamental law which our people have ever been taught to regard as a shield of defense against the attacks of irresponsible power, which has ever been hedged around with those difficulties of approach so essential to stable government, would become.

“As variable as the shade

By the light quivering aspen made.”

We all recognize the truth of Madison's declaration that too much legislation is one of the evils of republican government, and hence every recent constitution has wisely adopted numerous restrictions and limitations on legislative power. Yet, we know that notwithstanding all these limitations, every State has been burdened with too much legislation—an ever-increasing flood of local and private and general law—destroying all uniformity and harmony in the law itself, till in the multiplicity of statutes the citizen is vexed, harassed and confused. This wise tendency, so clearly manifested in all modern constitutions, to check the ever-increasing volume of laws on every conceivable subject, is now to be denounced as a political blunder, and pernicious legislative activity is to be supplemented by laws enacted by the direct vote of the people. If hasty, ill-advised

and ill-considered legislation still remains as one of the vices of our representative system, notwithstanding all the checks and limitations on legislative action found in our State constitutions, is it not the madness of folly to undertake to supplement the present legislative activity by authorizing the making of additional laws by a direct vote of the people and without any of the safeguards secured by deliberation, investigation, amendment, debate or constitutional restrictions?

We may be impatient with our State legislatures, but the remedy is not to sap or weaken their powers but to elevate their tone and standard, to reorganize them along simpler lines and to make them the real organs of public opinion, checking the evil effects of hasty and ill-considered legislation, and giving expression to the cool, deliberate and mature judgment of the people.

Much has been heard in late years of "big business." The biggest business conducted in this country is that involved in the government of the various States. Is it not wise to apply sound business principles in administering the affairs of these great public organizations? What would be the fate of any of the great private corporations, if their directors, elected by the stockholders, representing and legislating for them and responsible to them, were discharged and the whole mass of stockholders as a body, some wise, some foolish, some mere children, many entirely ignorant of business principles, few moved by the common good, most animated by the desire to secure personal gain, should undertake to direct their policies? In the management of the corporation, good government with the highest returns and best results is the object sought to be achieved. There can be no difference in kind, in the principles applicable to each, and experimental policies, dangerous in their tendencies, ought to be as carefully avoided in the one as in the other.

That doubtful political policies ought not to be pursued except in the most extreme cases is a sound rule of conduct that I should be happy to bring home to every thoughtful and patriotic American citizen, for there is abroad in the land a dangerous tendency which would seek to convert every governmental agency into a political experimental station. Unfortunately there is too evident among our people a love of novelty and "passion for changing customs and destroying old institu-

tions," which would exchange our proved and tried system for one which, however alluring to the political theorist, has always preceded the fall of stable government and the loss of political liberty. Were we without any other remedy, and our condition were as deplorable as the propagandists of this new specific for all our political ills declare, I, for my own part, would still hold fast to the faith of the Fathers, rather than attempt "to upset an ancient system hallowed by long use and deep devotion."

If any proposed reform seeks to weaken or overthrow a system whose introduction has been coincident with popular liberty let us not hesitate to give it the stamp of our stern disapproval. If free institutions are to continue, ours must be a representative government. As declared by Ambassador James Bryce, government by representation is a principle derived from the oldest customs of the Anglo-Saxon race. Students of English constitutional history can trace the existence of representative assemblies to every period of its national existence, even to remote antiquity. From the earliest forms of tribal government down to the present day there was some form of legislative assembly, representing the people, framing their laws and assisting in their government. With all its defects a representative system is the best that wisdom and experience has yet devised.

But assuming that venal legislators, entrenched in power, deny the statutes they should enact and refuse to give expression to the calm and deliberate judgment of the people, there is and will always be found in the flexibility of the common law, in its adaptation of old principles to meet changing conditions, a source of power with which the courts are amply armed to curb the aggressions of special interest. The common law I suggest to be those fundamental principles which were essential to civil liberty and political freedom, growing out of common custom and natural equity, which were brought by our English ancestors to these shores, and out of which the civil rights and the political liberty of the English people were wrought and in which they are securely rooted, and whose harshness has been ameliorated in the progress of civilization.

It has been truly said:

"One of the great merits of this great system is that it does not consist in a series of detailed practical rules, established by positive provisions, and adapted to the precise circumstances of particular cases, which would become obsolete and fail when the practice and course of business to which

they apply should cease or change; but, instead, of a few broad and comprehensive principles, founded on reason, natural justice and enlightened public policy, modified and adapted to the circumstances of all the particular cases which fall within it.

"The common law grew with society, not ahead of it. As society became more complex and new demands were made upon the law by reason of new circumstances, the courts, originally in England, out of the storehouses of reason and good sense declared the common law."

As was said by a great judge:

"The common law is a beautiful system containing the wisdom and experience of ages. Like the people it ruled and protected, it was simple and grew in its infancy, and became enlarged, improved and polished as the nation advanced in civilization, virtue and intelligence. Adapting itself to the conditions and circumstances of the people and relying upon them for its administration it necessarily improved as the condition of the people was elevated."

As the principles of natural justice and a sound public policy do not change, the common law, which springs from them, is not subject to decay, nor does it become obsolete with changing circumstances and differing conditions. It is today "fresh in the vigor of immortal youth," as potent a living principle as it was when administered by Mansfield or by Hale, and in its ample powers the courts will always find abundant authority to meet every need of government or of society. However reluctant legislators may be to act, it will be a strange case in which the common law principles to fit and protect may not be found.

As a corollary to the initiative, the referendum is proposed to complete the wreck of representative government, and as a fitting device to securely accomplish the atrophy of the legislative functions and to reduce legislatures from coördinate departments of government to a body of mere clerks engaged in performing ministerial duties. When legislatures are compelled to submit their work to the approval of the electorate, there would no longer rest on the electors the duty of selecting men of character and capacity to represent them; nor will the members of such bodies feel the weight of that responsibility which ought to follow public office. That the character of legislation produced by such a body would lack wisdom, strength and vigor seems too evident to discuss.

It is no argument in favor of the referendum to say that it is the course followed with reference to constitutions. A Constitutional Convention is under no necessity to submit the product of its labors to the people for ratification. While it

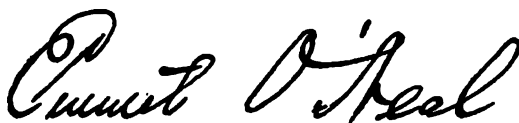


usually does so as a matter of choice, in doing so of its own free will it takes more pride in presenting to the people work well done, and is wholly lacking in that sense of inferiority which under a compulsory submission can but result in indifferent service.

It is my earnest hope that the far-reaching and disastrous effects of these proposed changes will be fully understood by all my countrymen before they give them the sanction of their approval. I am deeply impressed with the conviction that their adoption would so fundamentally change the entire structure of our political system as to amount to revolution and to destroy the theory upon which our Government rests and upon which the permanence and vitality of our institutions depend.

I hope that the splendid structure of constitutional government built by the wisdom and the loving care of the Fathers and under whose fostering shelter we have enjoyed the greatest measure of freedom, happiness and prosperity known to man, will not be deferred or impaired by the attacks of sincere but misguided men—of time-serving politicians or of political charlatans, who are deaf to all argument, “for error is the bread on which their folly feeds.”

That the Providence whose guiding hand has been so manifest in all the course of our national existence will still lead us safely through these days of doubt and uncertainty I confidently believe. In the genius of the race, I have an abiding conviction that there is and always will be found a redeeming and protecting spirit to walk beside us and through all trials and from all shadows bring us unharmed into that fuller light to which in the speedy progress of our national evolution we are surely tending.

A handwritten signature in cursive script, reading "Chester A. Arthur". The signature is written in dark ink and is positioned at the bottom right of the page.

# Editorial

## ROOSEVELT'S ADVOCACY OF THE REFERENDUM.

(*Baltimore Sun.*)

MR. ROOSEVELT may be right in his opinion that the judges of the New York Supreme Court, in deciding unconstitutional the law regulating bakeshops and factories "did as much damage as the worst legislative body actuated by the worst motives could possibly have done"; but it is a very doubtful remedy that he proposes to meet the situation.

Governor Dix advocates an amendment to the Constitution, but no such slow procedure satisfies Mr. Roosevelt. He "earnestly hopes to see in the next New York State constitutional convention provisions incorporated in the Constitution which will enable the people to decide for themselves, by popular ballot after due deliberation, finally and without appeal, what the law of the land shall be in cases such as those I have mentioned, where the courts of the State have refused to allow the people to establish justice and equity."

Thus does Mr. Roosevelt declare for the referendum and its application to Supreme Court decisions. This would be a radical change in our governmental system, and would remove one of the chief "checks and balances" so carefully provided by its founders. From the time of John Marshall American judges have held that the Constitution is the "supreme, paramount law, unchangeable by ordinary means," and that no legislative act in conflict with it is valid, because no legislature can alter its provisions. If the power of deciding upon the constitutionality of a law is taken from the courts; if their decisions can be overruled by the votes of a majority most of whom are ignorant of constitutional law, we may as well cast the Constitution aside, for it would be subject to practical amendment at every election.

Courts are naturally conservative, abiding by tradition and precedent. They may at times annoy ardent progressives like Mr. Roosevelt by sustaining what he considers a "do-nothing philosophy." They are not put in office to carry out the will of the majority, but to see that justice is done, to protect lives and property and to insure to every person the exercise of his just rights. At times it becomes the duty of the courts to prevent the minority from being crushed by an unjust majority. If they are to be overruled by fluctuating public opinion; if their tenure of office is to depend upon the popularity of their decisions, their usefulness will be impaired and the integrity of the law itself undermined.

Mr. Roosevelt may himself believe that what he is advocating is "not revolution" nor "wild radicalism." But he will have serious difficulty in convincing thoughtful, cautious citizens that it is "the highest and wisest kind of conservatism."

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ROBERT SEELAV.

## IS THERE A LUMBER TRUST?

BY ROBERT SEELAV.

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IN these days of trade corporations or "Trusts," real and imaginary, one important branch of the tree of commerce has been somewhat overlooked. As our newspaper scribes score each combination of trade, exposing its methods and waxing warm over its inhuman exactions, they seldom mention a "Lumber Trust." Recently the press has been dwelling a little on the conditions prevailing in that industry, but the general ignorance of the outside world as to those conditions makes these criticisms somewhat ineffective. Ambitious representatives of the Federal Government have lately sought to unearth illegal combinations in the lumber trade, but their efforts are the result of public clamor against trusts, and of their desire to win laurels as "trust-busters."

The consumer is the one eminently fit to judge of the existence or non-existence of a trust or combination controlling a certain commodity. With but little calculation, he draws the most natural and correct conclusion. With his pay-envelope as a basis, he discusses most vividly the complicated trust problem. But the average person rarely buys lumber in its rough stage and never buys it in such quantities that he will easily observe a systematic increase in its price.

An article purchased in the open market, if it be made in part or even entirely of wood, may be higher in price now than at any time in the past. But the increase is not attributable to any extortion on the part of the lumberman. Many other factors have contributed to the higher cost of the article. The actual increase on the cost of only the lumber is comparatively slight, and the dealer will rarely advance that as the excuse for the increase. Hence the householder and voter, when philosophizing over the higher cost of living and the empty market-basket, in-

dulges in no particular condemnation of the forest monopoly.

The price of lumber has, it is true, increased during the last ten years, and the manufacturer pays now ten dollars per thousand feet more than the price paid for the same sort and grade about the year 1900. In other words, on every foot of lumber the price has been raised one cent. Few articles on the market require more than one hundred feet of lumber in their construction, or a total increase of one dollar for the entire supply of lumber consumed. Now we find that the price of the complete article has been advanced a great deal more than one dollar, perhaps ten times as much. Looking into the field of construction and building, where the lumber and timber consumed often exceeds the 100,000 feet mark, we find as well that the actual advance on that commodity has been comparatively small in its ratio to the entire cost and when considered side by side with the other elements of construction.

If we compare the advance on other products we wonder that the lumberman is as lenient as he has been, burdened as he is, together with the others, by the alleged extortion of the real trusts of this country. The principal item which enters into consideration of the lumberman is that of freight, in order to bring the supply to the centre of population, which includes conveying the material to the mill and from the mill to the railroad. Glance at the freight bill, the toll levied by the railroad, and you will be astounded at the leniency of the lumbermen. The average freight bill may be computed at one-third of the full purchase price of a carload of lumber, often, as in the case of the low grades of North Carolina pine, the lumberman receives \$15.00 per thousand feet and is compelled to pay out to the railroad over one-half of that amount for transportation.

The lumber industry is in the hands of individuals of high character and, proportionate to the population, not now numerous. Yet, a trust within this industry is quite impossible. Even a gentleman's agreement, as the term is applied to designate an unwritten agreement as to prices, is a remote possibility. There are a few organizations within the lumber trade, but, first, only a small number of merchants actually join them and, what is more important, those so organized are combined only for the purposes of protecting the industry from any general attacks; they are on the defensive, rather than on the aggressive.

A great source of annoyance and one requiring the intervention

of lumbermen's associations is the regulation of grades, which, of course, is peculiar to the lumber trade. Each and every board is carefully inspected and graded, and vigorous disputes often arise as to the standard for grading. This can be decided only by properly organized associations, which lay down uniform rules for the guidance of the inspectors and the general trade.

Rarely has the lumber trade known of an association formed with the express purpose of "regulating" prices, even were such an object a possibility. The older lumbermen in the City of New York still remember the mutual arrangement known as the "Spruce Agreement." This act by the lumber merchants was one assumed as a matter of urgent necessity. Some of the merchants, in order to receive the contracts for the entire supply of wood-work and lumber for a building in the course of construction, would agree to sell to the builder all the spruce necessary for a price much lower than the cost to himself. In fact, the sacrifices made on that particular kind of lumber were so severe and assumed such seriousness, that the lumber merchants decided to give up the foolish competition which served no purpose, and are now selling spruce on a fair and reasonable basis.

Every trade must have its associations for the purposes of maintaining its proper code of unwritten ethics and to take such action as may be necessary for or against measures that generally affect their respective industries.

There has not been even a semblance of centralization in the lumber industry. Any merchant may buy from the small timberland owners their outputs and thus get in and ship down to the centres of trade many millions of feet of lumber, although by far the larger merchants are those who possess their own tracts of timber which they cut down in a careful and systematic method. The number of merchants as well as the sources of supply are widely scattered. In every state there are thousands of more or less considerable tracts of timber lands and it would require a fund infinitely greater than that reputed to be invested in the oil industry in order to develop a lumber trust of any magnitude. The fact is that in the lumber industry the peculiar conditions tend against rather than for concentration of interests. In the year 1909 there were in this country 46,584 mills, which cut during that year 44,509,000,000 feet of lumber, and the largest of them did not cut any more than one-half of one per cent. of the total output of lumber. It is a practical impossibility to consolidate



nearly 50,000 mills into one body acting in a dominating, arbitrary style.

In the ownership of standing timber, as distinguished from that of lumber ready for the market, there are, to be sure, some vast holdings centred in a few owners. In fact, the reports of the alleged centralization of timberland ownership prompted the United States Senate to pass a resolution instructing the Secretary of Commerce and Labor to investigate the lumber trade in the United States, and the author of the resolution, yielding to public clamor, worded it with the following significant expression:

"The said investigation and inquiry shall be conducted with the particular object of ascertaining whether or not there exists among any corporations, companies, or persons engaged in the manufacture or sale of lumber, any combination, conspiracy, trust, agreement or contract intended to operate in restraint of lawful trade or commerce in lumber, or to increase the market price of lumber in any part of the United States."

The report is either an apology on behalf of the government, or a terrible denunciation of the methods adopted previously by Federal Administrations in presenting to their favorites all our natural resources.

The substance of the report may be summed up in the table of statistics presented therein as follows:

SUMMARY TABLE.

	Billion Feet.
Grand total .....	2,826
Privately owned .....	2,197
Investigation area (about 80 per cent) .....	1,747
Pacific-Northwest .....	1,013
Southern Pine Region .....	634
Lakes States .....	100
Out of investigation area .....	450
National Forests owned by Government .....	539
Reserved Forests owned by Government and by States.....	90

Speaking of the three largest holdings in timber, The Southern Pacific Company, The Weyerhauser Timber Company and The Northern Pacific Company, who own, together, 238,000,000,000 feet, the Commissioner says:

"It is worth pointing out that these three immense holdings were virtually made possible by the land grants of the Federal Government to great railroad corporations. Practically all of the acreage of the Southern Pacific Company was secured through the Government land

grants. . . . The enormous holding of the Weyerhaeuser Timber Company, aggregating 1,945,000 acres, is based on the Northern Pacific land grants . . . . Notwithstanding the fact that the timber land which it now retains is but a remnant of its original holding, the company (Northern Pacific) nevertheless ranks third in the list of the country's timber owners.

"The character of the Northern Pacific's timber, and, in consequence, that of the Weyerhaeuser Timber Company, was considerably improved through the 'forest lieu' legislation. This was a provision included in an appropriation act of June 1, 1897, which allowed a settler or owner (thus including land-grant railroads), whose lands fell within the boundaries of a forest reserve, to exchange such lands for an equal area to be selected from unoccupied and non-mineral lands anywhere in the public domain; these selections were subsequently restricted to surveyed lands. Under this legislation (since repealed) the Northern Pacific made very extensive relinquishments of poor land within the national forests, securing an equal acreage, selected for timber value, elsewhere in the public domain.

"A special lieu-selection law affecting the Northern Pacific was passed in connection with the creation of Mount Rainier National Park by act of March 2, 1899. This provided for the relinquishment of the Northern Pacific lands within the national park area and within the Pacific Forest Reserve, giving the railroad the privilege of selection of surveyed or unsurveyed non-mineral lands in any State into which it extended. Under this act, the railroad relinquished over 500,000 acres, obtaining in exchange heavily timbered lands in other portions of the Northwest, of which at least 300,000 acres was sold to the Weyerhaeuser Timber Company and to other companies in which the Weyerhaeuser family is interested.

"This 'forest-lieu' legislation was intended to enable the Government to regain as much land as possible for reservation in compact blocks, and to enable the settlers within the forest reserve limits, who so desired, to re-locate where the settlement of country would not be arrested by such wholesale withdrawals. By the actual working of this legislation, however, a large amount of comparatively worthless land was returned to the Government by the Northern Pacific Railway Company, which obtained in exchange an equal amount of excellent timbered land. Thus, while the land-grant legislation largely made possible such immense single holdings as those of the Southern Pacific, Weyerhaeuser, and the Northern Pacific Companies, this 'forest-lieu' legislation resulted in improving the character of the Northern Pacific lands (including those sold to the Weyerhaeuser Timber Company and other companies in which the Weyerhaeuser family is interested), and consequently increased their value, through the privilege of making selection in heavily timbered regions on the relinquishment of much less valuable land, or even comparatively worthless land within forest reserve limits.

"Only forty years ago at least three-fourths of the timber now standing was publicly owned. Now about four-fifths is privately owned."

The report adds:

"Such laws were wholly inappropriate to forest regions. . . . In theory they were intended to distribute the public lands in small tracts as homes for freeholders. In fact, they actually furthered timber concentration in vast holding."

The settlers, it appears, who under the "Timber and Stone Act," received valuable land for a nominal price, \$1.25 per acre, did not cultivate it, but sold it outright to a few individuals, who sought the timber land purely for speculative purposes and are now retaining the claims for the benefits to be derived when the price of lumber is exceedingly high.

In the popular understanding a Trust is a combination controlling a market in the strict sense of the word. We connect with the term "Trust" a systematic effort, by a few, to stifle any competition. Some large combinations have been accused of adopting measures that fall very close to the criminal in the attempts to concentrate the trade in their own hands. This is not true of the lumber trade.

But even these vast holdings do not loom up threateningly on the horizon in a manner worthy of caricature as an all-devouring octopus. The holdings of the Southern Pacific Company, which on their face appear like a huge, formidable monopoly, are not, in fact, nearly so menacing as they may seem by such showing. Assume that this railroad owns outright a tract which will yield, according to data supplied by the Government, 106,000,000,000 feet of lumber, or six per cent of the entire supply of the country. Now, the Southern Pacific itself will have consumed during the next fifty years over 10,000,000,000 feet of lumber, employed daily for its own uses and purposes. In other words, at the end of that period, when, it is predicted, the crisis in the lumber supply is reached, the Southern Pacific Company will have consumed for its own exclusive purposes 10,000,000,000 feet of its reserved timber. This portion must therefore be excluded from any consideration of the amount of lumber alleged to be withdrawn from the market for monopoly or control of the trade.

The amount of the timber said to be held by the three largest owners will reach the total of eleven per cent. of the entire supply in the United States. The Government Commissioner admits that in reaching this total he did not limit himself to the actual holdings of these three owners, but included in this total the holdings of others, friends and relatives of the Weyerhausers, who, in his opinion, may some day act in accord with the desires and plans of the larger holders.

It is inconceivable how the holders of eleven per cent. of the supply of a commodity can possibly become an arbitrary trust, even assuming that they will all act in unison, or, how the holder of six per cent. of such a commodity can loom up as frightfully as some will depict him.

Should the occasion arise, the system of reforestation can always be employed to combat or to forestall any attempt to control the supply or price of lumber. Again, there are wide stretches of timber land throughout Canada, Mexico, the Indies, and the Philippines, and millions of miles of it in South America which, in time of urgent need, can be utilized in spite of the difficulties in the cutting and of the transportation of the lumber to distant points. The countries of Europe do not hesitate to import from this country countless shiploads of lumber. Why can not we import from our neighboring lands? The kinds of lumber thus imported can be put to the exact uses to which we now employ our home-grown species. The sorts of lumber produced in Mexico, for instance, can easily supplant some of our own kinds. Chico-zapote or red ebony will take the place of maple for floors or bowling alleys, and for other purposes, and would prove a remarkably good substitute for the domestic lumber used for railroad ties. "Juspin" will take the place of white wood. "Ceibo" and "Bary" are similar to our oak, and "Hoves" is richer in color than quartered oak or even mahogany. "Guapaque" may be well used for wagon hubs and other articles. In fact, the many sorts and kinds of lumber growing in the Southern countries, some of which have not yet been experimented with, if imported and brought to this country can be employed equally well as the domestic sorts and thus prevent any form of monopoly that may be attempted by any number of individuals.

The Government Commissioner deplores the fact and advanced it as a reason to prove his allegations of monopoly, that while the Pacific Northwest has five-elevenths of this country's privately owned standing timber, it supplies only one-sixth of the annual cut. The Commissioner adds that there is a strong effort being made to preserve the timber until the country shall face a crisis, and the price rises to a prohibitive figure; the price of "stumpage" or standing timber is now high enough to discourage further transfers. The Pacific Northwest can not produce any more than one-sixth of the lumber supply. The freight on its lumber,

if shipped to Eastern ports, would more than consume the profits derived, and this limits their field of activity to a certain territory, the Western and Northern States. Then, it must be remembered, that the Pacific Northwest produces only one species of lumber in abundance, Douglas Fir. That section of the country can not level any more Fir than is demanded. Hence the "complaint" of the Government disappears without a possibility of resurrection.

On the other hand, it is probably a blessing for this country to have the supply of lumber reasonably withheld and limited. The dearer a commodity, the less of it is consumed, and the less of it wasted. In the lumber trade in particular, the waste perpetrated by the manufacturers is abnormally high. In every sort and description of lumber, in boards, flooring, shingles or logs, there may be found various grades—as many as twenty different grades in some species of lumber or its products. When the price is high a lower grade can be utilized, otherwise the higher grades are more in demand and the cheaper or lower grades are permitted to decay and become useless.

The present value of the privately owned standing timber of the United States, 2,197,000,000,000 feet, is estimated at \$6,000,000,000, or an average of \$2.75 per thousand feet of "stumpage." Our annual consumption of timber is about 50,000,000,000 feet, while replacement by new growth is only about one-third, and at this rate our timber lands will be entirely consumed in about fifty-five years. Unless stringent efforts are made by the Government to make the replacement equal to the consumption, the next generation will face not only a famine but an actual and distressing absence of any kind of lumber, even for its most urgent uses.

In the wave of excitement that spread over the country following the decision of the United States Court in the Standard Oil and American Tobacco cases, the lumber trade received its quota of sensational rebuke. The newspapers set up a straw figure which was labelled "Lumber Trust" and devoted its precious columns to the task of ripping open this figure, without revealing that its insides are mere straw. The press of the country is working up hysterically a spirit of antagonism towards all trade associations and, of course, the lumber trade cannot remain immune from these attacks.

In response to this general demand of our public-spirited edi-

tors, the Department of Justice instituted suit against all the lumbermen's associations to dissolve their organizations and thus remove their legal standing. The lumbermen are charged with attempting,

"to close the door of the wholesale dealer and manufacturer in all parts of the United States to the consumer, and arbitrarily and unreasonably deprive such manufacturer and wholesaler, as aforesaid, of the trade of the consumer residing in the territory covered by the retail dealers' trade . . ."

The allegations of the Government complaint allege that the Lumbermen's Associations have unduly and "unreasonably" restrained and prohibited the lumber trade in a manner and style which bring them within the prohibition outlined in the Sherman Anti-Trust Law. The facts submitted, which took the Government agents so long to uncover, have been well known and obvious to everybody else for the last ten years. Restraint of trade is the act of holding back or hindering certain competitors from indulging and exercising their true rights and for the purpose of bringing into the coffers of certain firms, additional and improper benefits and emoluments. The restraint charged in the complaint against the lumbermen is that the wholesalers have agreed not to sell to such of the consumers who, in the ordinary course of trade, should properly patronize the retailers. The world over, and in every branch of commerce, the manufacturer or wholesaler, if he is at all in harmony with the fellow members of his trade, will give his customers, or retailers, as they are known, a certain field of activity, free and unrestrained. If the wholesale lumbermen will sell their stock directly to the consumer he can easily afford to dispose of it at a very much reduced price, and earn, at the same time, a fair profit, thus cutting out completely the middleman, who is compelled to buy from the wholesaler. The act of the Lumber Trade Association in restricting the wholesalers is a benevolent act, absolutely essential for the general welfare of all, and is a step taken not to the betterment, but to the detriment of the wholesalers, who lose millions of dollars by this arrangement and restriction. Restraint of trade, such as would make a person guilty of crime, is, naturally, an act which will inure to his benefit and will increase his profits. But an act which results in a material loss of money to him for the purpose of giving the opportunity of an ordinary profit to the smaller business man, is not restraint of trade, but release of

trade in every sense of the word, and is an act to be commended and not condemned.

In the city of Chicago, charges have been made against the Retail Lumber Dealers' Association, in which it is alleged that they have succeeded in influencing the wholesalers to withhold and refuse the sale of any lumber to the mail-order houses. Perhaps it is only a question, in that particular city, as to who is more powerful and wields more influence with the powers that be, the lumberman or the mail-order business man. The charge seems to be more a matter of spite and revenge; is purely local; and everyone in the trade has had full knowledge of these disputes for a number of years past. That the wholesalers have refused to sell any lumber to the mail-order houses, which are in direct competition with the retailers, is a well-known fact, and is directly in line with their policy of protecting the middleman, or retailer, in his effort to ply his trade with a reasonable and fair degree of profit. No one can find any trace of viciousness nor any breach of business ethics in the fact that the wholesalers, while losing large sums of money by that act, protect the smaller man who needs and deserves such protection.

Strange as it may seem, the cloud that threatens danger to us is due not to the presence of large capital, but rather to the absence of it. It has occurred to many of us that, more and more, forests are sold and transferred to foreign syndicates, while our own investors sink their capital into imaginary bonanzas rather than into the real wealth of the forests.

An excellent tract of timber land is presented by an owner for the purpose of securing a purchaser, and the Wall Street broker who interested himself in the proposition, though controlling millions in American capital, communicates, instead, with London for an offer on that timber land. Bankers throughout the city have at their disposal millions of dollars of foreign capital with instructions to invest in timber lands in the United States or in pulp wood and mahogany anywhere in North America.

Foreign capital does not manipulate. It stores away its millions in safe and sane enterprises, and there is nothing so certain in increased value and development as the products of the forest.

A certain newspaper owner is reputed to be worth many millions of dollars. One of his enterprises is the manufacture of all the necessary paper from the spruce lumber. Take the map of Newfoundland and draw a line about his holdings in timber lands,

and note how careful he has been to monopolize the best portion obtainable; this enterprise requires no marvelous ingenuity—just an investment, and an appreciation of the possibilities in it. But this journalist is not an American, just a “slow” Englishman, while our own Yankee journalists are desperately fighting paper dealers, contending for lower tariff, raising the price of subscriptions and experiencing no little difficulty with the supply of paper—all this, with that great territory of spruce within distance.

The word “conservation” has become the talk of the day. It has been made popular by the long and heated controversies of a few ex-office holders who made “conservation of the forests” their platform for public approval.

The Forest Service of the Federal Department of Agriculture has accomplished, in a measure, a great deal towards the protection of the forests. Large tracts of timber land have been reserved, that the timber upon them may develop freely, until, in the opinion of the authorities, the merchant may be permitted to turn the trees into articles of commerce. The lumber trade has entertained great doubts as to the possibility of finding a person qualified to use the sense and discretion essential in the important work of designating and guiding the work of reservation. Wide experience and infinite knowledge, as well as a deep consideration both for the people and the lumber trade, are absolutely necessary.

In every State, as well, there is an efficient Department of Agriculture and Forestry, and everywhere there have been wide reservations and numerous reforestations.

Reforestation is more important and essential than reservation. Millions of young trees should replace the stumps and barren places that cover the hillsides. In thirty to forty years the little saplings will be fair, though not very stout trees, and will produce boards of ordinary width. But at the end of fifty or sixty years, the trees will be developed and produce the finest lumber.

Instead of finding fault with one another, inciting needless prosecutions and controversies, let us pay more attention and lend more strength to our Forestry Service and work for the improvement of our great, beautiful and indispensable forests.

A handwritten signature in dark ink, reading "Robert Leelanu". The signature is written in a cursive, flowing style with a long horizontal line extending from the end.



# Editorial

## AN APPEAL TO REASON.

*(Lumber Trade Journal.)*

THE harshest criticism and the one most justified is that of the government's silence concerning a lumber trust.

The daily press and periodicals generally and almost without exception are continually harping on a lumber trust. Every cartoon that caricatures the trusts has the lumber trust in with the rest.

And yet

There is no Lumber Trust

and

THE GOVERNMENT KNOWS IT.

The Department of Commerce and Labor in an investigation which has cost tens of thousands of dollars of the people's money, knows it.

The Department of Justice in an investigation which has cost tens of thousands of dollars of the people's money, knows it.

WE KNOW THEY KNOW IT.

Therefore we submit

That the government is entirely unfair in allowing it to be understood to the contrary.

Such suits as the government is bringing is against local conditions and there is no trust feature involved in the contention; on the contrary the whole attitude of the associations interested is distinctly anti-trust.

Further, we submit:

That the government is not only unfair, but that it should be above any such petty intrigue.

We know nothing about the manner in which the Department of Justice has been treated elsewhere, but we challenge it to contradict that in the east it has met other than with the greatest frankness.

Then why can not the Department be equally frank?

Is it possible it is not willing to fight on its merits?

A New York daily recently said editorially:

"Can the Lumber Trust and the Paper Trust defeat reciprocity?"

Why not be fair and tell the people that the Lumber Trust is not trying to defeat anything, for there is no Lumber Trust. Why allow the public mind to be poisoned when it is vital to the cause of justice that it should be unbiased?

Why be petty?

Why not be big and manly and fair?

The lumber trade, as a trade, is not to be blamed because there are many manufacturers who think a tariff on lumber a necessity and are putting up a fight for it.

These manufacturers who are agreed on this part are not in a trust; they control nothing except themselves individually, and if they are agreed on the tariff proposition they are not in accord on much of anything else and especially as to prices, and they have not as much resemblance to a trust as a jack rabbit has to a mule.

And so we say to Mr. Wickersham and to Mr. Knox, and above all to the President, Mr. Taft: be fair, be open and above board, and come out now and tell the people what you know—and that is:

**THERE IS NOT A SHADOW OF A LUMBER TRUST.**

## IMPRESSIONS OF EUROPEAN TRACTION.

By J. HENRY NEAL.

---

AFTER he had thawed out a bit and decided that I was unlikely to give specific publicity to his complaints, a European traction manager explained his trials and tribulations under municipal ownership.

He need not have worried. Had I gone on the tour of European cities arranged for the summer of 1911 by the Boston Chamber of Commerce with any fixed purpose of gathering argumentative ammunition for use against socialistic radicalism in my own country I might have grabbed at this man's grouches. As a matter of fact, however, issues of collectivism as against individualism interest me very little. I had accompanied the party, which contained several experts in city planning, solely to see modern municipal improvements, without prejudice for or against any particular form of their administration. There is no issue in my own city of private versus public ownership, but there is a type of state regulation of public service corporations which many sagacious folk regard as an effective working compromise between two extreme theories. Furthermore, this particular foreign official, who grumbled because he had half a million bosses and must spend half his time replying to criticisms and suggestions, was, nevertheless, according to my personal, and necessarily superficial, observation, giving his city very fair service. His cars were clean, comfortable, well manned and liable only to a moderate overcrowding in rush hours. Accordingly I listened complacently, knowing that nearly every man down in his heart is sure fate has stuck him with the worst job in creation. This plain-spoken contemporary clearly felt that nobody, this side of the "infernal regions," was ever so cabined, cribbed and confined as he. Yet in the course of associating with American electric railway men I have now and then met some individual who felt



J. HENRY NEAL,  
General Auditor of the Boston Elevated Railroad Company.

3761

about the same way concerning his board of directors. As for the public criticisms under which the European writhed they could not be more exasperatingly misinformed than many which come before the president and executive committee of the Boston Elevated Railway Company, operating in a city which contains an unusual number of well-meaning and well-to-do persons whose chief occupation is informing specialists how to run their businesses.

What did impress me, nevertheless, looking out from the manager's office upon a street in which the tram cars moved steadily along at a comparatively slow pace, was that this officer in reality has a job so much easier than the management of an electric railway in an American city of the same size would be that he ought to be perpetually thankful for the snugness of his berth. His salary, though smaller doubtless than those paid to administrative officers under private enterprise in the country, was of comfortable size. Little unmistakable evidences in his office assured me that while he is evidently efficient and forceful he is under no necessity of extending himself as he perforce must in an American community where the local traction more nearly deserves the name of rapid transit; where the lines precede instead of following the development of populous suburbs; where the management is not permitted by public sentiment to cater to the easy and profitable short haul traffic at the expense of the difficult, unevenly distributed and expensive business in districts of slight traffic density.

This impression of a side-stepping of many of the greatest difficulties of urban transportation was confirmed by observation in a score or more of British and continental cities. The rank inefficiency, the nepotism and subserviency to political considerations, which writers commissioned to rap municipal socialism always parade in their articles, may or *may not* exist; these social defects, at all events, do not force themselves on the casual observer's notice.

It was hard to see, on the other hand, just where any foreign electric railway management, public or private, was showing itself, to make a very mild assertion, more zealous than their American contemporaries to give comprehensive and satisfactory service. Moderately good systems are to be noted almost everywhere; a broad unified scheme of rapid transit, such as has been blocked out and partially executed in my own city, is quite un-

dreamed of across the Atlantic,—if I am generalizing correctly from observations backed by rather copious documentary literature gathered during the Chamber of Commerce trip.

How relatively little, in fact, an American electric railway man has to learn from contemporary European practice was one of the surprises of the journey to more than one member of the party. The tour, to be sure, was not designed specially with reference to study of transit problems. Dock systems, schemes of housing workingmen, city planning exhibits and methods of commercial organization were prime objects of attention. In these directions every participant in the expedition necessarily found things instructive and inspiring. The docks at Antwerp and Hamburg and other continental ports and the remarkable appliances for handling freight at the terminus of the Manchester Ship Canal made an impressive contrast to the antiquated wharves of New York and Boston. The perfect organization of industry at Port Sunlight, near Liverpool, and at the two large chemical manufacturing plants visited in Germany, gave some new ideas of scientific management. The workingmen's homes of many cities, artistically attractive and hygienically decent, were of a sort to make the patriotic American feel a little ashamed as he thought of certain congested and noisome districts of his own city. The great use which Hamburg makes of its water park aroused a hope that the popularization of the larger and even finer Charles River Basin of Boston may be hurried along. These and other developments are very notable. Having no debt limits and with considerable rivalry among themselves the European cities undertake all sorts of improvements in which, if only for constitutional reasons, the American municipality must go more slowly.

In transportation, however, Europe holds no primacy, and the electric railway managers are content to do well work which is better done under far more exacting conditions in the United States.

The cost of service tells the story of American superiority. In countries where standards of living and wage scales are lower than in the United States, the charge for transportation in cities averages somewhat more than a cent a mile—just about what Bostonians, who ride five miles on an average, get for a nickel. The price per passenger is lower, of course, under the European zone system of charging; were the average haul as long as in

the larger American cities the price would be at least as high as here. Yet wages, the traction manager's biggest item of expense, are only half as high as those paid in the United States.

Their "profits," or surplus, turned into the municipal treasury to help to lower taxes are paraded as a proof of high efficiency in some reports of publicly owned tram lines. Yet strictly speaking it is immaterial whether the public coffers receive "profits," as in Liverpool, where about a quarter of a million dollars is so returned, or simply as taxes, as in Boston, of substantially the same population, where such contributions aggregate a million dollars. In neither case is there anything to chuckle over. The community does not get something for nothing. Whether it is called profit or tax, the traction manager is simply empowered, or required, to serve as tax-gatherer, giving over to the public treasury moneys which otherwise need not have been collected or which might have gone for betterment of service.

Philanthropic sociologists one does not find among the European transit experts—men who at the risk of their own solvency build up outlying suburbs where the wage-earner may have his own home and his own garden plot by means of which to decrease the cost and add to the comfort of living. Some one may ask, since when have American traction magnates been humanitarians? The answer, with due recognition of recent and remote scandals in several of the larger American cities, is that, often unconsciously and with no fixed purpose, many American street railway companies have been doing just this and getting very little credit for doing it. More than one manager has lately awakened to the fact that in building up a great suburban business at the expense of the more lucrative short haul traffic he has been gradually approaching a critical financial situation. Cities abroad do not spread out commensurately with ours. The explanation may be historical; habits of living that date back to the days of walled towns are very persistent. It is at all events true that the traditional European conception of a city is one which thus far has not been greatly altered by rapid transit.

Berlin appeared to several members of the Boston expedition to have the most efficient transit systems of any of the cities visited. One gentleman was inclined to praise the artistic qualities of the elevated structure at the German capital at the expense of the appearance of the elevated line in Boston. Yet he surely did not make sufficient allowance for differences in physical



surroundings, the Berlin line running through monumentally handsome streets while ours is condemned by the nature of the city to thread its way for the most part through narrow, uninviting thoroughfares. In attractiveness nothing in Berlin certainly seemed to surpass the Forest Hills terminal and its approaches, designed by Edmund M. Wheelwright, and I felt that the general average of the elevated stations developed from A. W. Longfellow's prize-winning design of some years ago was substantially up to that of the Berline stations. That American street railway companies have no regard for æsthetics a good many people assume. Yet the Boston Elevated Railway Company for a long time has had the advantage of the services as consulting architect of Robert S. Peabody, formerly president of the American Institute of Architects, and it has further assurance that the designs submitted by Messrs. Peabody and Stearns are up to a certain standard because they are passed upon by a special committee of the Boston Society of Architects. So that Berlin and Boston are both trying to do things right in an artistic sense. It is true, nevertheless, that the Berlin Elevated passes through wider and straighter avenues than those available for Boston rapid transit. It is interesting to speculate whether, if such a line were to be permitted in Commonwealth Avenue, the company which stands behind the East Cambridge viaduct and monumental power stations in Cambridge and South Boston would not acquit themselves as creditably as the architects of the *Hoch und Untergrundbahn* in their opportunities. On this subject of rapid transit in its relationship to civic beautification, while our party saw many admirable bridges and few, perhaps, so shabbily uninteresting as the sort built in this country half a century ago, no bridge on the Seine or the Spree was felt to excel our own Cambridge Bridge designed by Mr. Wheelwright for joint uses of rapid transit and ordinary street traffic.

The Berlin surface car system is at a disadvantage in not being directly related to the elevated and subway services. The operating company, nevertheless, the *Grosse Berlin Strassenbahn*, takes good care of its traffic, even though the congestion in some spots, as notably in *Leipsiger-strasse*, is considerable. The cars move rather slowly according to American ideas, but on well maintained schedules.

The excellences, however, do not obscure the fact that from an operating standpoint the *Grosse Strassenbahn*, has an easier

task than might be expected in a city of the size. With nearly three times the population of the district served by the Boston Elevated Railroad Company, Berlin has about three-fourths the track mileage. That means a much greater density of profitable traffic in a restricted area, fewer lines into outlying regions, smaller charges against relatively unproductive service and equipment. Analysis of the schedules of any great American electric railway system proves that the chief difficulties in the way of giving satisfactory service and still making the lines show a reasonable profit lie in the uneven distribution of traffic. Boston's rush hour traffic rises to 100 per cent above normal. In Berlin, observation shows that the cars are pretty well filled throughout the business day.

The Berlin engineers, therefore, may well be envied by the American transit specialist. They have the very great advantage of being permitted by public sentiment to cater mostly to short haul traffic. They have many other advantages of position. Their wages for platform men average from three marks to five and a half marks a day—the maximum being about one-half that of the Boston scale for "regulars." The *Strassenbahn* under the terms of its franchise makes a considerable contribution to the public treasury, but one certainly not in excess—and that in a larger city—of that rendered by the Boston Elevated Company. Withal, the Berlin charge for transportation is substantially at the same rate per mile as in Boston with its convenient and liberal transfer facilities connecting Subway, Elevated and Surface systems.

In contrast to Berlin's transit, which at least is seemly, orderly and, within its limitations, effective, London's is a hodge podge. The universality of the cab traffic of course impresses every visitor. The 10,000 cabs and 3,000 omnibuses plying in the streets undoubtedly prevent a congestion of traffic which would otherwise be intolerable. The rates of fare, however, are obviously greater than the metropolis would have to pay to an adequate, unified transit management.

To a traction man the London situation is interesting mainly as proving the disadvantages of diversified control. The tubes are owned and operated by eight different companies. Of the tram lines some are municipally, some privately owned and operated. None of these systems was laid out with special reference to the others, or after criticism from competent engineering

authorities. Some connections have been made subsequently, permitting interchange of passengers under booking arrangements. The London facilities certainly compare unfavorably with such a comprehensive system of nearly five hundred miles of surface, elevated and subway track as that over which Bostonians travel with liberal transfer privileges making it possible on a single car fare to go forward as many as twenty miles in any generally continuous direction.

Anarchy in transportation such as London suffers from does not pay. Sir Herbert Jekyll, of the London traffic branch of the Board of Trade, recently made the statement: "The business of carrying passengers in London is beyond doubt in an unsatisfactory condition. The capital does not get a fair return; every company engaged in the business supported by private capital is suffering." How it could be otherwise does not appear to one familiar with the many economies and devices of scientific management that may and must be practiced by a traction management given a monopoly in a district of considerable size. A Royal Commission on the Means of Locomotors and Transport in London has very lately laid down a theoretical principle which has been in practice in Massachusetts for several years past. "All large systems of mechanical traction," the commission concludes, "can be worked most economically and with the greatest advantage to the public when they are under one and the same management."

With its manifold imperfections London transit is, nevertheless, good in spots—a few spots, at least. One goes between two points adjacent to stations in a tube about as quickly and comfortably as in New York or Boston. The municipal tram car service is tolerable, though far from rapid, and subject to considerable overcrowding as the Board of Trade has noted. Its chief defect, in an American's eyes, is that it does not get anywhere; the place one wants to reach is always half a mile from the tram line's terminus.

The coronation crowd, which our Chamber of Commerce party encountered in London, appeared to be well handled in the tubes. I noticed nothing, however, to give the Boston Elevated officials a hint helpful in their annual problem of taking care of vast football crowds.

Our visit to the English town of Chester, while it contemplated no special study of traction, gave a sense of the difference

between European and American electric railways. Go into a provincial city the size of Chester in New England or the middle West and you find the business centre of the town thronged with trolleys, both these serving every point of the compass and with inter-urban electrics from every point of the compass. In Chester we found simply a neat little tram line connecting the railway station with the shopping district. It was good as far as it went, but we realized that for better or for worse Chester people manage to rub along without riding very much in the street cars. They live near enough to the places of business not to pay carfare twice a day. To reach another town five, ten or twenty miles away, they take the steam railway. This difference of habits in the two nations I am not emphasizing to the disparagement of either. It is well understood that private enterprise in the United States in supplying inter-urban electric service has frequently outrun discretion. Lines have been built in regions of low traffic density where from the standpoint of capital they ought never to have been built at all. Perhaps there is something to be said in favor of British conservatism. It is, at any rate, obvious that in such a place as Chester the tram car management—whether it is in private or municipal hands—takes no such chances, undertakes no such responsibilities as would be assumed by a transportation company providing service for, say, New Britain, Connecticut, or Terre Haute, Indiana.

Of municipally operated tram systems inspected by our party Liverpool has one of the best. This municipality, as everyone knows, has gained a great reputation for progressiveness. It is now engaged in broad schemes for rebuilding former slum districts in the interest of attractive workingmen's homes. An admirable Museum of Fine Arts is publicly maintained. Schemes of park extension are afoot that are interesting to compare with the Boston metropolitan park system, the largest and finest in the world. Among its other activities Liverpool runs the street cars, and runs them pretty well. The accident record, thanks largely to an admirable fender, the so-called "Liverpool Life Guard," is the most creditable of any street car system. Yet the smallness of the municipal traction plant could not but be amusing. It is almost a toy by comparison with the transportation interests of the larger American towns. Liverpool, with the sub-urban cities of Birkenhead and Wallesley, has about the population served by the Boston Elevated Railway Company. The

track mileage is only one-third as great, the car mileage holds about the same proportion. There are no subways (except one for teaming and pedestrians under the Mersey) and almost no far-flung surface lines to distant suburbs. The total permanent investment in transit is only about one-fifth of Boston's. Neither did I hear of any such large plans for the future as those recently developed in Boston under which construction of three new subways and a new elevated line is about to begin.

Admitting, therefore, competent handling of the Liverpool cars, an American transit man could hardly regard this as a superlative achievement, even though it has been, and again will be, paraded as such by non-technical writers. Electric railway practice is today pretty well standardized. The technical literature of the subject, including invaluable trade journals, keeps engineers well informed as to each other's doings. Genius of the highest order is not required to run a little street car system in a large city, especially if, as almost invariably happens in Europe, the most difficult technical problems are judiciously sidestepped. The "profits" which such a system as Liverpool's turn over to the common good are frequently cited as evidence that the country gets a great boon from municipalization. Apart from the fact, already noted, that a private company may turn over an equivalent or greater sum in taxes, the surplus at the year's end is simply what might be expected from moderately competent and honest operation.

The Paris metropolitan system, while extensive, is not extraordinary. The beauty of the subways has sometimes been commended. One questions if they show any superiority in design or detail over the stations of the Washington Street tunnel constructed by the Boston Transit Commission or the new Cambridge Subway built by the Boston Elevated Company. In Buda-Pesth our party surveyed with interest the miniature tube which served as model for Boston's pioneer enterprise of the kind, the Tremont Street Subway. The Buda-Pesth bore has not been extended in the intervening time while Boston in the present century has witnessed the successive openings of the East Boston Tunnel, the monumental Washington Street tunnel, the costliest thoroughfare, length considered, ever built, the Cambridge subway, the most nearly perfect from an operating standpoint, and will soon see the inauguration of subways from Park Street to the South Station, to Dorchester and through the Back Bay dis-

trict. Underground construction is unquestionably liable to be overdone in American cities ; there is a question whether any community can afford as many subways as have been projected for New York and Boston. Most of the large European cities thus far are certainly under-subwayed.

On the mechanical side of traction European novelties are generally not particularly adaptable to American conditions. The tourists of the Chamber of Commerce party entertained themselves by riding in the suspended monorail at Elberfeld-Barmen. This scheme is interesting. Conceivably it might be worth the attention of an American community, if there is such, with a geographical situation similar to that of the adjacent cities named ; where, that is to say, only a single line between cities is required. Where elevated lines, after the more comprehensive American plan, are required to converge and to be connected "in town" with a subway system and at the outlying termini with radiating surface lines, the Elberfeld operation would fall down badly. The Swiss traction and tunneling operations greatly fascinate the tourist of a mechanical turn of mind, but these of course were devised simply to meet extraordinary situations in a mountainous country which entertains millions of visitors.

To sum up these impressions of transit abroad, life is lived at so different a pace on the two continents that differences in both the extent and the quality of the traction service are inevitable. For that reason the lessons which the most open-minded American transportation man can learn from his European fellow professionals are comparatively few. The resulting conclusion is that for the conditions of requirement in the United States, we can learn little or nothing from the traction systems as used in Europe.

A handwritten signature in black ink, appearing to read "J. H. Neal". The signature is fluid and cursive, with a large loop at the bottom left and a long horizontal stroke extending to the right.

# Editorial

## AN ELECTRIC MEETING.

*(Boston Herald.)*

A HOPEFUL sign appears in meetings like that held in Atlantic City by the American Electric Railway Association.

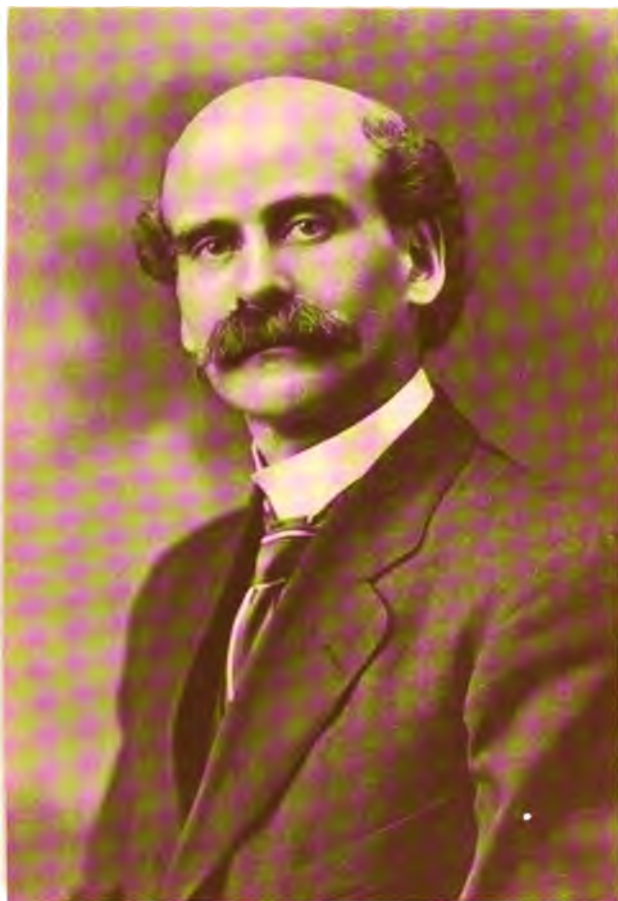
Our street railway officers face a different problem from that of the European cities. We pay the even nickel for a ride in most of our cities, and the street cars are carrying passengers many miles for that sum. In some instances certain passengers are carried 10 or 12 miles. World-wide experience shows that the average passenger cannot be carried for a fare which returns less than a cent a mile travelled, and in our American cities those who ride short distances are supporting their suburban friends. The general use of zone fares in European cities, with zones of three-quarters of a mile to a mile and a half between fare limits, changes the aspect there, and the short-haul passengers obtain their transportation for smaller fares than is possible here with our universal nickel charge.

The areas comprised within the corporation limits of the large American cities are continuing to increase so rapidly that the practicable end for the electric railways can not be foreseen. Suburban patrons wish to retain the longest possible haul for the nickel. This uniform rate has done much for the cities by making the suburbs accessible, but the five-cent fare is high enough to be a factor in keeping the tenement-house dwellers living in over-peopled and sordid quarters close to their places of employment. Still the inelastic charge is the American way, and it is useless to propose to change it.

In American cities the accident list is larger than in Europe. Here the passengers insist on the faster transportation which is a prolific cause of the accidents. Our cars are also larger, and the propelling motors more powerful. Electric traction for city streets is an American invention, but its adoption in foreign cities has been accompanied with modifications that American citizens would not brook.

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EDWARD STERN.

1071

**OUR NATIONAL PROBLEMS.—  
THE APPLICATION OF A CONSTITUTIONAL AND  
SCIENTIFIC SOLUTION.**

**By EDWARD STERN.**

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**"WE MUST NOT USE FORCE TILL JUST LAWS ARE  
DEFIED."**

**"EVERY LAW NOT BASED ON WISDOM IS A MEN-  
ACE TO THE STATE."**

These sentences are chiseled upon the exterior of the Supreme Court Building in New York City.

**"A free government can not long endure where the tendency of the laws is to concentrate the wealth of the country in the hands of the few and to render the masses poor and dependent."**

**DANIEL WEBSTER.**

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Our problems of abject poverty amongst the unemployed, of dissatisfied, underpaid and overworked toilers, of frivolous depraved and scheming idle rich, of perverted court procedure, of venal politicians and corrupt government, of worried producers and harassed business men, of vicious business centralization, of socialistic class hatred, of sexual perversion and debasing liquor traffic, of artificial, ineffective and often destructive educational methods persist and become more and more threatening.

The foregoing and all allied problems can be at once ameliorated and quickly solved if we will but discard partisanship and cultivate resolute sincerity.

**"Knowledge is power."** Possessing scientific knowledge we can readily draft a few specific national laws, constitutional in character and evolutionary in their provisions, which enacted into law, will immediately usher in that longed-for era of nobler social, economic and political association.

It is imperative that all desire for vengeance be cast out. Past

wrong doings must be forgiven but governmental and judicial neglect, injustice and usurpation must cease.

We will begin by forgiving the usurpation of the justices of the Supreme Court of our Nation from the date of the decision by Chief Justice John Marshall in the Marburg versus Madison case, down to the present time.

In rendering the decision in this case Chief Justice John Marshall erroneously stated "It is a proposition too plain to be contested that the Constitution controls any legislative act repugnant to it, or (else) that the legislature (Congress) may alter the Constitution by an ordinary act. Between these alternatives there is no *middle ground*. The Constitution is either a superior paramount law, unchangeable by ordinary measures, or it is on a level with ordinary legislative acts, and like other acts, is alterable when the legislature shall please to alter it. If the former part of the alternative be true, then a legislative act contrary to the Constitution is not law; if the latter part be true, then written constitutions are absurd attempts on the part of the people to limit a power in its nature illimitable."

Chief Justice John Marshall did not see that there is a "*middle ground*" which was, is and ever remains the true constitutional solution of the problem then and now before the United States Courts; and that constitutional "*middle ground*" is that all legislative acts passed by Congress, whose members are sworn to uphold the Constitution, are to be held as being valid and constitutional, unless objected to by the majority of the citizens of a State of our Union; then and not until then should our Supreme Court pass upon the question of the constitutionality of the laws enacted by the representatives of the sovereign people assembled in Congress.

Since the Marburg versus Madison decision the judges of our United States courts have usurped the power to pass upon the constitutionality of *all* acts of Congress.

In no other civilized nation do the judges possess the power to declare legislative acts null and void. Our Constitution is a document of expressed powers and positively does not confer this most stupendous power upon the judges of our national courts.

The question of granting power to the Supreme Court to pass upon the constitutionality of all acts of Congress was very thoroughly discussed in the Constitutional Convention of 1787, and

never received the assent of the delegates from more than three States.

Congress must enact a law compelling the judges of all United States courts to respect our Constitution and to cease passing upon the constitutionality of the laws enacted by Congress in suits instituted by individuals, firms or corporations.

If ever Congress should enact law or laws unsatisfactory to the majority of the citizens of a single State of our Union, action can be inaugurated by them through the proper officials of such State. This State action comes within the sphere of the original jurisdiction of the Supreme Court, which would then, untrammelled by Congress, pass upon the constitutionality of such law or laws submitted to them by State action.

Laws satisfactory to the majority of the voters of every State must always be regarded as positively constitutional.

Our Constitution most explicitly states that the entire appellate jurisdiction of our Supreme Court is subject to "such exceptions and under such regulations as the Congress shall make."

The enactment of this one law forbidding the consideration of the constitutionality of United States laws in other than the original jurisdiction of our Supreme Court, would simply place our judiciary in exactly the same position which the courts of England now hold, with this important addition to the powers of our own judges, viz., that upon request from a majority of the voters of any State, law or laws can be submitted to the direct scrutiny of our Supreme Court in its sphere of original jurisdiction, when the court would proceed to pass upon their constitutionality.

The sphere of judicial power must be constitutionally defined with explicitness. Our courts must not be allowed to usurp the legislative function or to exercise unconstitutional authority.

Our national Constitution is a document well worthy of the thoughtful consideration of every American. We can not be intelligent citizens unless we carefully weigh and ever seek to practically utilize its explicit provisions.

We should not be in great haste to amend it. I do not assert that it can not be improved upon, but let us beware of precipitate action; for properly utilized, our present venerable Constitution amply safeguards the welfare of the people.

Since the dawn of history the ablest men of the race have written libraries of contradictions upon economic themes.

Through the existence of this economic confusion, fifty men, headquarters Wall Street, New York, are now enabled to quietly and most adroitly divide up amongst themselves the cream of the entire wealth production of this great nation. The farmers and planters, miners and workingmen, business men and real service-renderers to our nation, are continually quarreling over the division of the skimmed milk, and at times there is not enough of that watery ration to supply all of them.

When we use the word upright in connection with material structures of every character, it instantly conveys one specific meaning to every rational man and woman.

Our dictionaries record the fact that the plumb line is the universally accepted natural test of the uprightness of all material constructions.

When we use the same elemental word "upright," in connection with the economic structure of government, it fails to convey scientific, and therefore specific meaning. Our dictionaries do not specifically define this most vital word and its synonyms "just" and "righteous," when these significant words are applied to the consideration of the structure of human economic government.

There exists just as specific a natural test of the uprightness of the structure of economic government, as the plumb line is of the uprightness of all material structures.

Substantiate the foregoing statement and we have the scientific foundation for practical and effective solution of the economic enigma of the ages.

Mankind past and present are divided into camps of bitter partisans regarding the merits of plans, systems and proposed laws. While thus irrationally engaged, they have overlooked, and they continue to overlook, the most pertinent fact, that before truly effective laws can be drawn up, it is positively necessary to scientifically define what the elemental word upright means, when it is used in connection with economic structure.

In every sphere of human activity wherein progress is being recorded, it is based upon the utilization of discoveries relevant to those domains. Why not also utilize important elementary discovery relevant to the human economic domain? Surely it will be universally granted that the use of such discovery is most urgently required.

Invariably in every practical sphere, mankind differentiates be-

tween the end to be attained and the means, methods or plans which may be wrought out in order to judiciously attain the desired end. In the human economic domain this differentiation has not been observed, hence the uncertainty and confusion which reigns therein.

How can we ever hope to organize or to maintain a reign of economic justice unless we first come into positive accord as to when we attain uprightness in economic government?

The *material* plumb line is the natural test of uprightness in the *material* structural realm.

Human economic government is mental, not material; but all reasonable men recognize that the character of the economic legislation enacted powerfully affects the material welfare and comfort of the great masses of humanity.

Human economic government being of the mind, nature's test of its uprightness will be found in the expression of the Infinite Mind (God), in the justice or uprightness of all natural laws.

There are innumerable laws of nature, but underlying the operation of one and all of them there is found one principle of justice. Whatsoever the laws of nature will do for man or for men, conditions being complied with, they will always do for any and for all mankind.

This universal natural principle of justice and impartiality ultimates in the domain of natural government in securing to all mankind, regardless of race, creed or condition, access upon a basis of equality, when properly elucidated and applied, solves the economic problems which have hitherto baffled economists and statesmen, and inflicted untold suffering and degradation upon hapless humanity.

Consider the natural electrical domain in order to positively elucidate and forever establish the true and exact application of this natural ultimate, as a scientific test of the just governmental regulation of our basic economic factors. The electrical domain is subject to natural government. We do not find electricity equally divided amongst all human beings; nor are we able to secure free access to electricity whenever we desire to use it. In order to secure access to electricity we find that we must comply with uniform conditions prescribed by natural government. Complying with those conditions, all mankind secures access to this subtle force upon a basis of perfect equality; but it should be borne in mind that the capacity and ability of the va-

rious individuals to comply with nature's imperative conditions vary greatly.

The ability of our various citizens to comply with the uniform conditions which must be prescribed in order to attain uprightness in the domain of human government will vary greatly; but through utilizing and ever maintaining the natural ultimate of access upon a basis of equality, the unlimited production of all desirable forms of economic wealth will be steadily encouraged and even stimulated. Unemployment will then speedily pass away forever, utilization of all wealth produced will be greatly facilitated; so that even the poorer and more ignorant members of society will speedily secure a generous share in the great benefits accruing to all workers, through the inauguration and perpetuation of upright economic government.

We already utilize the natural ultimate of *access upon a basis of equality* in our post office department. One man posts a letter and the charge is two cents. Another man posts one thousand letters of similar weight and the charge for securing like access to our National mail facilities is twenty dollars. There are no rebates nor preferential treatment; but those who can not comply with our uniform postal regulations are not permitted to secure access to our mail facilities.

We are reaching out toward this natural ultimate in governmental regulation of railroads, as evidenced in the prohibition of rebates and of preferential treatment of any character.

We have glimmerings of the need for and relevancy of this natural ultimate in the solution of the important land question. Our Single Tax friends worship their drastic plan of single tax upon all land values, with frenzied partisanship; but they overlook the vital fact that the specific natural ultimate of the eternal principle of justice is positively relevant to the land question. Agree that all mankind is entitled to secure access upon a basis of equality to mother earth and the land question can speedily be solved by evolutionary methods far preferable to and exciting vastly less hostility than the much extolled but drastic and most faulty panacea of the single tax; which is but an illogical plan, for it was wrought out without clear perception of the fixed and unchangeable natural ultimate of justice.

The relevancy of the natural ultimate of access upon a basis of equality to the vexed and most vitally important money and banking questions, is not so readily perceived.

Our monetary and banking systems are a medley of inadequate makeshifts. We do business too much upon bank credits, in other words, upon "bankers' debts." There can not be a credit transaction that does not involve a debt. The debt system of doing business is dangerous, breeds panics and encourages dishonesty. At present the business men of our nation are forced to use many thousands of millions of dollars of bankers' credits. The bulk of the vast business of our nation is conducted upon the debt system of finance, and our vast army of wealth producers and service renderers are thus annually indirectly forced to pay to our banks and bankers hundreds of millions of dollars in interest, for the use of bank credits which bankers' credits are important factors in producing our periodic panics.

A small group of men dominate our railroads and substantially the same men virtually control our banking and monetary systems. Our interstate railroads have grown too powerful for effective and judicious regulation by individual State governments. Through their railroads, our bankers have taken title to much of our most valuable mineral resources, harbor facilities, canals, etc., and arbitrarily levy universal tribute or taxation upon our citizens.

Either we Americans, acting through our national government, will take positive control of and judiciously regulate our monetary and transportation systems, or our present reign of graft, plunder and of gross subversion of true government will continue and will gain additional power, so that even the largest independent business men and producers will speedily feel the terrorizing lash of unscrupulous concentrated capitalistic control. As our economic system is at present organized, the money and banking trust is substantially the mother of all trusts and monopolies. It is the keystone of the entire arch of our economic iniquity.

Through the utilization of the natural ultimate of access upon a basis of equality, it is possible completely to solve our monetary, banking and railroad problems by one interlacing non-partisan national law, which will also indirectly solve the land question to a very considerable degree.

Men who do not unflinchingly demand and ever strive after just government are not true American citizens, for, as stated in the preamble to our Constitution, our national government was founded "TO ESTABLISH JUSTICE."

Pure politics and true religion, instead of not mixing, are in reality inextricably interwoven. At the conclusion of the Sermon



on the Mount, Christ stated, "But seek ye first the kingdom of God and His *righteousness* and *all* these things shall be added unto you."

Perceiving that God's kingdom upon earth must be founded upon righteousness, and that we can not be loyal American citizens unless we ever stand for righteousness or impartiality in economic government, let us clasp hands and go forward determined to seek after the natural divine test of justice.

When the general price level of staple commodities is rising, manufacturers enjoy what is termed prosperity, for as they hold or manufacture their raw materials into finished products these raw materials are worth more and more, measured by dollars. The finished products, if staple in character, continually exchange for more and more dollars. Wages do not tend to rise as rapidly as prices. The buildings, lands and machineries of the manufacturers are worth more and more, as measured by dollars which are continually buying less and less. The debts of manufacturers are expressed in a definite number of dollars and ever require less and less of their assets to liquidate them. The customers, the **manufacturers** who sell upon credit, are less liable to become bankrupt while prices continue to rise.

With prices falling, a radically different tale is told. As the manufacturers hold in stock or process their raw materials, these materials are continually commanding fewer dollars in exchange. Their finished products, even though staple in character, command lower and lower prices. The manufacturers' plants shrink in value as compared with the dollar standard, which is continually increasing in purchasing power. Workingmen having numerous fixed charges to meet fight strenuously against wage reductions. The debts of the manufacturers, being expressed in a definite number of dollars, are as millstones about their necks, for they ever require more and more of raw materials, finished products, and lands, factories and machineries in order to secure the requisite number of dollars to liquidate them. The customers to whom manufacturers sell on credit are much more liable to become bankrupt with the general price level falling.

When the general price level of the great staple commodities is steady, we have the equitable, non-speculative basis upon which true industry will steadily grow and ever flourish; for then the producers and holders of staple commodities ever secure access to

money upon a basis of equality with those holding valid instruments or securities, calling for a fixed number of dollars.

The mass of our citizens are not interested in how much gold is in the American dollar; but they are most vitally concerned in the question of the amount of staple commodities that they can buy with that dollar.

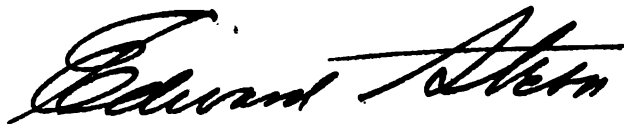
Our standards of weights and of measurement are scientific. We are practical and therefore rivet attention upon the amount of commodity received in a transaction calling for a definite number of pounds of weight or of yards of measurement.

If we are to solve the economic problems which confront us, we must acknowledge our childish foolishness in hitherto worshipping as a fetish the use of a fixed weight of gold as a monetary standard of value. We must rivet attention upon maintaining stability in the purchasing power of American dollars over the general range of staple commodities which are the mother forms of created wealth of every character.

Without the slightest inflation, our government can evolutionarily issue many thousands of millions of dollars of full legal tender, irredeemable paper money, provided that at the same time our national money is issued our banks and bankers, national, State and private, are positively compelled to evolutionarily increase their legal tender cash reserves, in their own vaults, as compared with their deposits, loans and discounts of every character.

Under our Constitution all power over money is vested in Congress. In the decision of the United States Supreme Court, December, 1870, case of *Knox vs. Lee et al.* 12 Wall, Supreme Court Reports, the court summed up the question of American monetary regulation by stating: "If the power to declare what is money is not in Congress, it is annihilated."

*(To be continued.)*

A handwritten signature in cursive script, reading "Edward Stern". The signature is written in dark ink and is positioned below the text "(To be continued.)".

# Contemporary Journalism

¶ In this department of The Editorial Review we publish each month the history and growth of a newspaper of prominence. In this number we sketch the successful career of The New Orleans Item.

¶ We also reprint here carefully selected editorials on the vital questions of the day, in which public opinion is reflected and presented unbiasedly in the most forceful and telling manner. To the individual reader it would be an almost impossible task to cull these editorials, for it involves the perusal of thousands of newspapers. Through its trained staff, however, The Editorial Review is able to present this compendious résumé of the best, keenest and most up-to-date contemporary opinion, as set forth in the leading newspapers, the value of which for future reference can not be overestimated.

## THE NEW ORLEANS ITEM.

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THE New Orleans Item is the oldest evening newspaper of the metropolis of the South. New Orleans is one of the cosmopolitan cities of America, the blending of French, Spanish and English traditions, modes of thought and habits, making it a center of culture in the arts and music, as well as a clearing-house for the interests of the most southern South. This city was one of the earliest to develop newspapers published in the afternoon. Journalism still holds in the minds of the New Orleans public a strong position, such as some of the organs of opinion in other sections have not retained. In no part of the country probably is greater attention paid to editorial expression, and the press is a mighty lever in the community. The readers are discriminating, and they have the wealth and intelligence to give that support to a newspaper without which it can not long survive.

Thirty-four years ago The Item was started by a party of printers as a coöperative enterprise, succeeding certain afternoon papers that had been issued before the Civil War. This

newspaper has kept pace with the intervening years, and is conducted upon the most modern lines of progressiveness and in accordance with the best American standard of organization.

The policy of *The Item* is patterned after the best ideals of newspaper ethics; the best that is attainable in newspaper production and publication; and absolute independence in politics and in business; and, consistently carried out, it has established and preserved the superior reputation of *The Item*.

The *Item* avoids and deprecates "sensationalism" and strives to develop and maintain the highest standard of honest, conservative journalism. Its object is to publish the best newspaper for the best people. It adds from time to time novel features, but will not allow passing popularity to interfere with the primary aims that animate the newspaper and that have contributed to its success and prestige throughout the years of its existence.

The *Item* issues three afternoon editions and a midnight edition for the outside cities and towns of Louisiana and Mississippi.

It was the original holder of the afternoon Associated Press franchise in New Orleans, on which it depends for its telegraphic news of general character. It has, however, a staff of special correspondents, as well as special representatives at Washington and elsewhere. This source of supply is expanded on Saturday night by leased wires of the National News Association, Hearst Service and of the Publishers' Press. The force also comprises twenty-eight editors and reports for the local field.

Its midnight edition reaches distant places far in advance of morning newspapers, and this edition represents largely the circulation and good will of the *Morning World*, a former morning competitor.

The *Item* was the first New Orleans newspaper to make a feature of a Women's Page, illustrated and devoted to the special requirements and interests of the fair sex.

Pictures, both educational and comic, have been freely used, as supplementary to the text of the newspaper.

The office has become a kind of training school for ambitious young men in different departments of journalism.

In connection with *The Item* there is successfully operated a Sick Benefit and Loan Association.

The mechanical equipment represents the newest and most complete in the South. The weekday issue includes from twelve to twenty-four pages; the Sunday issue from forty-two to sixty pages.

The Item is published by The Item Company, Limited, incorporated in Louisiana. Of this company, James M. Thomson is President and Treasurer; Paul J. Thomson, Vice-President, and Elmer E. Clark, Business Manager. The present proprietors came into possession in 1907. Their views on the proper conduct of newspapers are thus expressed:

"As large as the paper's outlay in physical facilities has become during recent years, its management has kept constantly before it the conviction that a newspaper is a human institution, and that its chief investment should lie in mind rather than in matter, and in man before machinery."

## AMERICANS IN MUSIC.

*(New Orleans Item.)*

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AMERICAN painters and sculptors have already won a recognized place of honor in the world. Whistler, Sargent, Innes and St. Gaudens—to mention only four—rank with the very greatest of every country and every age.

Music has been a slower development. Our composers, with few exceptions, have been either imitators or such self-conscious seekers for originality that their product represents nothing more valuable than ingenuity.

The singers were the first to come into their own. Today, Geraldine Farrar and Ricardo Martin are second in fame only to Caruso in opera. Emma Eames, Nordica, Witherspoon, Grimshaw and a number of others, sing leading rôles in the world's greatest opera house and have won ovations in Europe. Cecil Fanning and Christine Miller are high in favor on the concert stage.

The pianists have not fared so well, nor have the violinists, but among the latter the success of one has largely compensated for the lack of success in others.

Albert Spalding, who will be heard in New Orleans this winter, has just returned from a long and brilliant tour of Europe. He left us with the reputation of a clever and conscientious young artist of great promise. A few of us recognized in him a higher quality. He returns a virtuoso of the first rank, welcomed by the greatest of his fellow artists among the four or five violinists who are acknowledged to be the greatest in their profession. Coming back with this verdict of Europe, even the critics of New York have taken him to their bosoms and accorded him the respect they give to foreigners—almost as much as if he had been Ysaye or Kreisler.

The fault for the failure of so many of our musicians to win recognition has lain chiefly with the public, the managers and the critics.

But the times are changing, and the willingness of Europe to recognize the merits of our best artists will convince our reluctant compatriots that Americans have as much to say for themselves in music as in painting.

## THE SPANISH CRISIS.

(*Providence Tribune.*)

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As King Alfonso's reprieve of a Radical rioter, who murdered a judge in a time of industrial disturbance, has had an immediate good effect throughout Spain, where for some weeks past there have been portentous popular rumblings, is proof enough, perhaps, of its expediency. Indeed, Senor Canalejas himself, the withdrawing Premier, admits that he and his ministerial associates made a mistake in insisting on the death sentence in that case.

It may be doubted, however, whether it will be judicious for Canalejas, having thus been constructively reproved, to undertake another term in office. He has had a stormy time thus far, and he is not the kind of man to use oil for the troubled waters that are still ahead of the Spanish kingdom. For twelve years this forceful leader of the Monarchial Democrats has been preaching anti-clericalism and when he became Premier he proceeded at once and uncompromisingly with a programme of abridgment of the influences of the Catholic Church and inauguration of a broad system of public education regardless of the wishes of Rome.

In applying his policy he has aroused against himself and to some extent against his royal master, too, the bitter opposition of the Catholics and his course has resulted in the practical suspension of diplomatic relations between the Spanish Government and the Vatican. His "padlock bill," prohibiting the creation of further religious establishments in the country until a revision of the constitution is completed, could not be passed till amended by limiting the period of interdiction to two years; and his Associations bill, providing for the regulation of religious societies, though introduced in the Chamber of Deputies last May, has not yet been passed. Is Canalejas quite the best man, then, to be kept at the head of Spanish affairs at this critical time?

Meanwhile it is impossible not to think that Spain is stumbling forward toward a republic.

## THE FRENCH CABINET CRISIS.

(*Philadelphia Public Ledger.*)

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THE French cabinet, under the premiership of M. Caillaux, which terminated yesterday after a rather colorless tenure of little more than six months, was occupied so largely with external affairs that it contributed but little to the settlement of the social and economic questions which are agitating the French people, or at least that part of the nation which takes interest in public matters. Its fall would appear to be due to its own inherent weakness, and as has often been the case the cause is to be found more particularly in the personality of the French politicians concerned, for and against, than in any great issue of public policy. It had its origin, in the first place, in the sharp differences which arose between the premier, M. Caillaux, and the foreign minister, M. de Selves, over the Morocco negotiations with Germany, but these were brought to a head and accentuated by the adroit activity of that destroyer of ministries, M. Clemenceau.

Not the least interesting incident of the present cabinet crisis has been the short-lived return of M. Delcasse to the foreign office. His position in the cabinet which has just resigned, and in that of M. Monis which preceded it, had previously marked his return to public life after his defeat over the first Morocco "affaire" in 1905. At that time M. Delcasse incurred the enmity of Germany, and under the menace of instant war the French government was obliged to subject him and itself to the humiliation of his retirement at the behest of Berlin. He was too powerful a statesman, however, to remain long in darkness, and although the circumstances of his withdrawal from office would have spelled the political death of most men, he remained in parliament, and in 1909 received the credit of having been chiefly instrumental in unseating the "Cabinet-breaker" Clemenceau himself. In the Monis and Caillaux ministries he has administered the navy with energy and ability, and it is a remarkable tribute to him that his momentary recall to the foreign office, on the eve of the downfall of Caillaux, was accepted with such equanimity in Germany.



## REACHING THE CORE.

(*Detroit News.*)

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IF there is any justification whatever for the repeated statement that the popular discussion of public questions is not an intelligent and thorough discussion, it is found in those cases where the discussion has been cut short by an election. The necessity of taking sides, of throwing up propositions and defending them, of "landing" certain candidates in certain offices, has sometimes had the effect of taking the people's minds off the principles involved, or, indeed, not giving them time to apprehend those principles. But when a question which is not welcome to the parties seeps up through the mind of the American people, and though ignored election after election, grows into a commanding issue, the ultimate expression of public opinion on that question is, as a rule, all that could be desired by the most fastidious thinker. Between nominations and elections, where large issues are involved, it is not surprising that mistakes are sometimes made, but give the people time to think the entire problem through and you must agree that the work they do IS thinking.

Take, for instance, the trust question as it stands at present. It has been the subject of public discussion for a decade. But it did not begin with principle; it began in concrete cases of overbearing industrial and financial piracy. The first phase took no cognizance whatever of the deep principles involved. It was "bust the trusts," and that was all. Well, the busting was attempted with a large access of knowledge and experience on the part of the busters. They came back time and again, sometimes with a modicum of hope, sometimes with brave faces hiding their actual failure. But all this time the people were thinking, thinking. Presently it dawned on some that the trust might be an industrial evolution perfectly good in itself, but harmful as then handled. A little later on it was discovered that there were good trusts and bad trusts. From this stage onward the whole question was threshed out by the nation from a new standpoint, and the outcome of the work was a plea for the regulation of all trusts—recognition first, and then regulation.

And now the nation is getting down to solid bedrock and has already in its hands the fundamental questions involved—competition vs. non-competition. It is one of the most hopeful signs of

the time, one of the best vindications of the thoroughness and intelligence of the American people, that the issue is now divided between two parties, the one saying that the trust is the modern form of doing business, and the other insisting that it is possible to go back to the old methods of competition. For the first time in the entire controversy, popular opinion has reached the lines on which the whole matter must ultimately be resolved. Not that it is necessary to conclude that the triumph of one or the other of these parties will settle the matter finally, for it must always be borne in mind that any principle strong enough to command a party has in it enough excellence to justify its modifying the application of the principle which happens to be held by the party which shall dominate.

There is much to be said for the trust method of doing business—even if in all conscience there is little enough to be said for the “trusts.” The trust method is the method of coöperation whereby wastes and duplications and depleting warfare can be avoided. It is the labor-saving appliance of business.

On the other hand, competition has its excellencies. Under competition there was never any question of the consumer getting what belonged to him, and sometimes in the heat of competitory warfare he got more than belonged to him—which was just as great an economic transgression as when he got less; for a just and stable method demands balance above all things. If the trust method did more for materials, competition sometimes did more for men. Seeing that none of us are here for a very great while, it may not be so important that wastes of material be eliminated as that wastes of men be eliminated. And it is just a question whether the trust system has not resulted in some stifling of initiative, some suppression of industrial or commercial genius, in short, some waste of men. However this may be, the point sought to be impressed is that there is something to be said on both sides, and the solution, when it arrives, will be found to include the best that is in competition with the best that is in the modern trust method.

It may be a trifle hasty even to say that the trust method has entirely stifled competition, general though that belief may be. The evidences that competition exists to a degree are just as strong as the evidences that it has been effectually destroyed. As a matter of fact—and this has a bearing on the main question—

even the trusts find it impossible to get along without competition. It is worth while to look for a moment at a situation which has arisen in England, where privilege is linked with station, wealth and all the other influences possible in a monarchy. These following facts are embodied in a report to this government by Consul Fleming, of Edinburgh. The English and Scotch steel makers had been caught selling steel plates to German shipbuilders at \$4.87 a ton less than to British shipbuilders. The shipbuilders of England and Scotland protested, whereupon the discrimination ceased. But so indignant were they that they seriously considered entering into a combine of their own to erect their own steel mills, but internal dissension prevented this. It was then that the German steel trust jumped in and began underselling the English and Scotch mills by \$1.22 per ton less than the old proper price, whereupon the imports of German steel doubled at once. Here was competition between trusts, the consumer benefiting. To recover its hold on the trade the British steel trust offered all kinds of concessions to Scotch and English shipbuilders if they would return to the old order of things, but the German trust announces they will cut the price even below the concessions offered. The shipbuilders present an open market—and the two trusts are competing for the trade. It is one of the largest plays of competition possible to imagine when one considers the shipbuilding done in the two countries.

So, it can not be so very far off the line to say that the ultimate solution will some way gather up and preserve the effectual prevention of waste in material possible under the trust system, and the prevention of the waste of men which is one of the things that can be said for competition. That the Attorney-General of the United States stands for old-fashioned competition and Theodore Roosevelt for the retention of the present trust method as the only method that can exist, proves that the issue is not at all one-sided.

## ANOTHER CHAMPION FOR WOMAN'S SUFFRAGE.

(*Atlanta Georgian.*)

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NOTWITHSTANDING the setbacks occasioned by the frenzied acts of some of its advocates, the cause of woman's suffrage continues to score advances. When it is not gaining actual victories at the polls it is adding to its lists of powerful champions.

Senator Robert M. LaFollette is the latest acquisition, and, so far as we recall, is the first politician of national prominence to come out boldly in favor of votes for women. In his campaign speeches in Ohio he swore allegiance as follows:

I say that the women have as much right to the ballot as the men. Do you know that there are 7,000,000 women in this country earning their living by day wages, and they are adding to the wealth of the nation? For this reason they have a moral right to have a voice in the questions of sanitation and all that goes to improve living conditions of the home, which are governed by legislation.

These seven million workers are fighting the bread and meat battle. They are new recruits, but they must fight like veterans in a contest in which no quarter is given.

How does man arm himself for the fray? With organization and demands, but with both made effective and powerful by the exercise of the ballot.

Woman goes out to meet the same fierce conditions, but as yet armed with neither. When has any people or any class of people been accorded real justice, particular economic justice, while they are without the power to make good their right? In the scratch for a living might still makes right. The ballot is the only check, the only safeguard.

It is pitifully unfair that woman—inexperienced, untrained, physically frail—should be hurried to the firing line without being armed with this the most potent weapon she could have without which man would not fight at all.

The sheltered, protected woman needs the ballot only as an exercise of her broadening intellectual life and of her growing consciousness of civic responsibility, but the working woman needs it as a personal protection.

Battle Bob has another brave achievement to his credit.

## THE REPUBLIC OF CHINA.

(*Louisville Courier-Journal.*)

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THE Republic of China is as yet a possibility, or at most a probability. There is room for many a miscue and mishap between the announcement and the accomplishment of the fact. If China is to become a republic, overnight as it were—for a dozen years ago such a governmental change was hardly dreamed of among the Chinese of the treaty ports, to say nothing of those in the interior, and even two months ago the overturn of the monarchy seemed extremely improbable—the greatest of revolutions is now taking place. Nearly a third of the people of the world are to relegate Kings and Crowns to the past. The oldest of absolute monarchies and vastest of empires in point of population plants the flag of freedom in its ancient capital and becomes an emulator of the example of the greatest existing republic and most successful self-governed country the sun has ever shone upon—a country whose “experiment” has occupied but an hour in the day of the Middle Kingdom’s history.

That the material is yet a little too raw for the making of a republic is the general opinion among foreigners. Although the investigators who have studied China upon her own soil are believers in the Chinese, a majority of them agree with the long-range students of her affairs that it would have been wiser for the revolutionists to compromise by eliminating the evils and the substance of monarchy and leaving the shell for the present, depending upon time to better prepare the masses for a more radical change. There is so much to lose in the event of failure that it seems a pity that so great a risk should be taken when the slower way appeared so much the surer. This is the view of the most ardent advocates of self-government, at least those of them who are willing to consider the case calmly and are not content to throw their hats in the air and caution to the winds, and shout for a republic at once without bothering about the question of whether the desirable end can be accomplished. Monarchial Europe will watch developments in China, hoping catastrophe will follow the attempt at self-government, that the outcome of the Chinese experiment may serve at once to point a moral and provide an opportunity. For, if China attempts a

republic and fails, it is extremely likely that there will be pickings for the vultures, and whenever and wherever self-government is tried the European monarchies sit like the unclean birds on the Parsee Towers of Silence awaiting the funeral march and hoping to fatten upon the corpse.

If the Chinese take the plunge in what seems to be a state of unpreparedness, and succeed, China will gain glory enough to satisfy the proudest of the Celestials. The modernization of Japan and her recent military achievements and territorial expansion will be petty in comparison with the Chinese advance. What would happen next, in the event of China's proving herself efficient in self-government, is a matter for conjecture. Whether a huge country packed to suffocation with a virile and hungry population would begin to knock at the gates of Christendom, demanding admission to less thickly populated countries, and insisting upon the right of the yellow laborer to share the opportunities of men of other colors in foreign fields, and what would be the result if this should occur, are questions more easily asked than answered. But this is hardly the time for raising the bugaboo of the "yellow peril." It is more pleasing to contemplate the Chinese awakening as "*fait accompli*" and the fruition of that awakening in the form of a republic as a possibility.

America, having no irons in the fire in Asia, and having a great belief in republican government, will wish the Chinese all good fortune and will observe the course of events sympathetically, hoping that the Chinese will surprise the world by proving themselves better prepared for self-government than their warmest friends and greatest admirers believe them to be, yet viewing with some concern the pitfalls that beset the path of the republicans where there are yet some of the 400,000,000 who have not learned that there is a revolution in progress and a republic in prospect.

## THE LAWRENCE STRIKE.

(*Springfield Union.*)

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A DISTRESSING situation exists in Lawrence, where the State militia has been called into action to quell the riots of striking operatives who resent a reduction of their wages with the operation of the new 54-hour law. It is possible that similar scenes will be witnessed in other textile centers of the State, owing to dissatisfaction from the same cause. Some condemn the Lawrence police for not maintaining order in the city, and cite the riots as further evidence of inefficiency in the municipal affairs of that city. So far as we can judge, this criticism is rather unjust, though it does appear that the time of making the recent reduction in the police force was inopportune, however strong the desire to cut expenses and rescue the city from financial straits. The emergency that arose in this case was out of the ordinary, and the most efficient police force might have failed to meet the crisis successfully. Anyway, the mob was having its own way at the mills, it seems, and the militia was called to the scene. It was fortunate, in the circumstances, that no person was seriously hurt.

The trouble started in the woolen mills, but has involved the cotton mills as well. A continuance of the disturbances witnessed last Saturday and again yesterday is impossible. Peace must be maintained, but it is also important that justice be done. It is no occasion for surprise that the mill owners have refused to continue the old scale of wages. The manufacturers find themselves obliged, in complying with the 54-hour law for women and minors, to reduce the running time for the whole force, and this means a big difference in the total hours of labor per week, and when the large part which machinery plays in the operations is considered, it is reasonable to assume that the production of the mills also is materially curtailed. Two years ago, when the running time was reduced from 58 hours to 56, the wages remained at the old figure. Now the manufacturers say they cannot stand a further cut of two hours, especially as they must compete with outside concerns working anywhere from 56 to 60 hours a week. This may be true.

The manufacturers say the continuance of the old wage scale under shorter time is equivalent to an increase of wages. This

is so, but it is not clear on the face of things that the employees are not entitled to such increase. It is only fair that the mill owners should produce data to show that their earnings are insufficient to permit of the advance demanded. Incidentally it may be observed that the employees are composed largely of foreign elements having an imperfect understanding of the English tongue and difficult to deal with in a matter of this kind. They believe they are being treated unjustly, and it is hard to disabuse them of that impression. Possibly the conditions demand the employment of such help in our textile establishments, but this also is a matter on which it would be well to have light from authoritative sources. Massachusetts desires to see its textile mills prosper, but on a basis of fairness and justice. Reforms have to begin somewhere, and possibly this State and the present may afford the right place and time to institute a departure looking to better rewards for the textile workers. In any event, this is no time for violence. It is a time for reasoning and for canvass of the facts. Let the opposing parties get together and try to settle things amicably. If necessary submit the case to arbitration. Maybe the legislature and the State bureau of statistics can employ their offices to throw light on the problem and promote a peaceful, satisfactory settlement.



## THE FILM AGE.

(*Cincinnati Times-Star.*)

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THE moving picture, enjoying a popularity in American second only to that of the souvenir post card, is getting a strong foothold in Europe, Australia, South Africa, Japan and many other parts of the globe. Reports made to the Department of Commerce and Labor by United States consuls in these countries are interesting even astonishing.

A few years ago the moving picture didn't exist, yet today a vast business has grown up both in producing and exhibiting the films. London has 287 picture playhouses, with more being constantly added. There the prices of admission vary from 4c. to 61c. Consul Griffiths also remarks upon the rapidity with which English films are made. For example, the Grand National Steeplechase race was held in Liverpool, two hundred miles from London, at three o'clock in the afternoon. The race was photographed, the pictures developed on a train rushing them from that city to London, and the film shown at some of the music halls that very evening. Most of the films in London, however, are American made, although French pictures are popular there. Colored moving pictures—the invention of a former Ohio man, by the way—are also in great favor.

In Scotland the films used are chiefly American and French, while in Germany the product of the United States enjoys a wide popularity. In Berlin alone there are 360 film theatres, and one now under construction will have a seating capacity of 1,200.

Norway, Russia, Spain and Turkey all support moving picture shows, and American films are preferred in all of these countries. In Japan the "American invasion" is not so marked, nor in Syria, the Straits Settlements and New Zealand. In South Africa, on the other hand, American films are very popular. In the Johannesburg Consular district there are forty film theatres, many of them finely designed and well appointed.

Ten years ago the moving picture show was unknown. Assuredly we live in a rapid age; the moving picture has practically girdled the globe in a decade!

## HISTORY MADE IN 1911. (*Troy Times.*)

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PROBABLY the feature of "history as she is wrote" for 1911 that will most deeply impress the average person will be the remarkable prevalence of social, economic and political disturbance throughout the world. No quarter has been exempt. But the most notable developments have taken the shape of revolutions in Mexico and in China. In Mexico the result has been the overthrow of the Diaz rule and the substitution of the Madero administration, professedly more liberal in character. In China the revolt has been of epoch-making character, culminating in the creation of a republic and the election of a President, with what chance of stability and permanency the future must determine. On the other hand, Persia, aspiring to less absolutism, has fallen on evil times, and the close of 1911 leaves her in the pitiable plight of abject subjugation to more powerful nations. Social and labor demonstrations on a large scale have taken place in France, England and elsewhere, and on every side there have been manifestations of desire to improve existing conditions. The war between Italy and Turkey was an unhappy outcome of differences between nations; but fortunately the "Moroccan affair," which might have embroiled most of the great powers of the old world, was adjusted before tension reached the snapping point.

In our own country there has been relatively little of an exciting nature. The most pronounced "revolutions" were those wrought at the polls in the elections of the preceding year, one effect of which was a transfer of political control at Albany, a Democratic Governor, Legislature and State officers displacing Republican predecessors. The long-drawn-out fight over the United States Senatorship was a result, and the wearisome legislative session another. Apparently the pendulum started to swing the other way, for in November the people elected a Republican Assembly. Aside from political occurrences the year witnessed many interesting episodes, among which may be mentioned the Standard Oil and other trust decisions by the Supreme Court of the United States; the agreement between this country and Canada regarding the fisheries question, thus disposing of a long-standing cause of friction, although trade

reciprocity failed; the ratification of a new treaty with Japan; the end of the Sixty-first Congress and the meeting of the Sixty-second in extra session, with the tariff legislation that followed and which President Taft vetoed; the work on the wreck of the battleship Maine and the definite determination as to the character of the explosion; the proceeding begun against the United States Steel Corporation; the very successful army mobilization in Texas; the stirring reunion of Blue and Gray at the fiftieth celebration of the battle of Bull Run; President Taft's memorable Western trip; the appointment of three Americans as Cardinals, a distinguished honor to American Catholicism; Andrew Carnegie's gift of \$25,000,000 to promote education, making a total of \$205,000,000 presented to philanthropy by this generous citizen, and the action of the President, sustained by Congress, in taking steps to abrogate the passport treaty with Russia.

There have been interesting happenings all over the earth, not least among them being the wonderful exploits of aviators in this and other countries. Great progress has been made in the art of flying, but at lamentable cost; for the casualties of 1911 in aeroplaning alone bring the total number of fatalities since the invention of the aeroplane to a figure exceeding 100. England witnessed the gorgeous spectacle of the coronation of King George and Queen Mary, and appeal was made to the loyalty of India by another ceremony, that of crowning the pair Emperor and Empress of that Eastern land, at Delhi, the ancient capital. Another important incident in British history was the action taken by the House of Commons resulting in the vetoing of the political power of the House of Lords. A dreadful part of old-world experience has been the prevalence in Asia of the plague, China, Manchuria and India being the worst sufferers. The extent of the disease is inferable from official reports which placed the deaths in one portion of China at 10,000, in Manchuria at 65,000 and in India for the first half of 1911 at 650,000.

The record of course has other tragic features. In the Philippines 700 lives were lost through a volcanic eruption. Great storms caused shipwrecks in which many persons perished, old and New England both being sufferers, while many other regions were visited. There have been numerous colliery ex-

plosions, with sad lists of fatalities, in the United States and elsewhere. An earthquake in Russian Turkestan caused great loss of life and property. There have been some big fires, the worst being that at Kirin, Manchuria, causing a loss of \$20,000,000 and leaving 40,000 persons homeless. Bangor, Me., had the next largest fire, involving \$6,000,000 loss, and there were several \$1,000,000 and more. One of the most heart-rending occurrences was the burning of the shirtwaist factory in New York, when more than 140 employees, mostly women and young girls, perished. A typhoon in Japan resulted in the death of 500 persons and destruction of property worth \$4,000,000. A tornado in the vicinity of Charleston, S. C., caused \$1,000,000 to \$2,000,000 damage and the loss of a score of lives. One of the dreadful disasters was the explosion which destroyed the French battleship *Liberte* in the harbor of Toulon and killed nearly 400 officers and men. The breaking of the dam at Austin, Penn., resulting in the loss of many lives and damage to the extent of \$5,000,000 to \$8,000,000, was another deplorable calamity. Forest fires in Michigan and Canada wiped out at least 100 lives and caused great destruction.

Death made great inroads in the ranks of men and women of prominence, and the mortuary roll of 1911 is long and impressive. Among some of the more notable who have passed away may be mentioned United States Senators Stephen B. Elkins of West Virginia, Charles J. Hughes of Colorado and William P. Frye of Maine; also ex-United States Senators John F. Dryden of New Jersey, Thomas H. Carter of Montana, Charles F. Manderson of Nebraska and Roger Q. Mills of Texas. Proctor Knott, ex-Congressman and ex-Governor of Kentucky, ex-Governor J. L. Carroll of Maryland and ex-Governor Abiram Chamberlain of Connecticut may also be mentioned. Glancing down the record these names are found: Paul Morton, president of the Equitable Life Assurance Society and former Secretary of the Navy; David Graham Phillips, novelist; Gen. Piet A. Cronje, famous as a leader in the Boer war; Dr. E. G. Janeway, a famous surgeon; Patrick John Ryan, Roman Catholic Archbishop of Pennsylvania; Baron Albert von Rothschild of Vienna, head of the Austrian branch of the famous banking house; John M. Carrère, one of the most noted of American sculptors; Antonio Fogazzaro, esteemed among the first of Italian poets and novelists; Rear Admiral

John C. Fremont, of our Navy; John B. McDonald, who won fame as the contractor for the first of the great subways in New York; Sir Caspar Purdon Clarke, for a time director of the Metropolitan Museum of Art in New York; Rev. Dr. Thomas Hastings, one of the foremost preachers in New York; Charles Frederic Moberly Bell, manager of *The London Times*; Tom L. Johnson, noted ex-Mayor of Cleveland, Ohio; Denman Thompson, the actor famous in "The Old Homestead"; Col. Thomas Wentworth Higginson, soldier and author; Sir William S. Gilbert, of "Pinafore" and other comic opera renown; Edward Harrigan and Kyrle Bellew, actors; Harry Fenn, Edwin A. Abbey and Howard Pyle, artists; Mrs. Carrie Nation, the militant temperance worker; George E. Matthews of *The Buffalo Express*, Joseph Pulitzer of *The New York World* and William E. Curtis, the well-known correspondent, representing the newspaper fraternity; Edward M. Shepard, eminent lawyer; Peter A. Stolypin, the Russian Premier, victim of an assassin's crime; Ahmed Arabi Pasha, once a great figure as a revolutionist in Egypt; Cornelius N. Bliss, financier and ex-Secretary of the Interior; John M. Harlan, Associate Justice of the Supreme Court of the United States; Ida Lewis, of imperishable fame as a life-saver; Rev. Dr. Henry C. McCook, of a notable family and celebrated as preacher and author; Daniel F. Drawbaugh, inventor of telephonic devices; Mrs. Arthur Stannard, the English lady far better known as John Strange Winter, writer of novels; John Bigelow, the nonagenarian diplomat and journalist; R. K. Munkittrick, Elizabeth Stuart Phelps Ward, "Myrtle Reed" (Mrs. McCullough) and W. Clark Russell, filling various roles in literature; Ras Tesama, Regent of Abyssinia, the Nizam of Hyderabad, premier prince of India; Maurice Bouvier, twice Premier of France; Princess Clotilde, of Italy, and Emilio Estrada, President of Ecuador, all representing high station—these are among those to whom the final summons came in 1911. The grim reaper left gaps in every calling.

## THE WORLDWIDE UNREST.

(*Mexican Herald.*)

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DR. JACOB GOULD SCHURMAN, president of Cornell University, addressing the other day the People's Forum at New Rochelle, N. Y., considered at length the prevalent unrest of the world and its causes.

Dr. Schurman averred that a spirit of discontent was abroad in the United States. In the past, he said, there had often been specific causes of popular dissatisfaction in the great republic, but they had always been overcome and then the American spirit had regained its customary buoyancy and optimism. But at present things are different. The causes of dissatisfaction are more widely diffused than before and it is harder—nay, almost impossible—to get away from them.

If this is the case in the United States, much more so is it the case in other countries. In point of fact, the spirit of restlessness is making itself felt in England, France and Germany. It has invaded distant Australia. To it may be traced the political agitation in Egypt and the astonishing upheaval in China, which is threatening the immemorial institutions of that venerable empire.

If it be asked what is generic to all these perturbing influences, the answer probably will be that it is the growing impression of the working class that it does not get a fair share of the wealth which it is so largely instrumental in creating.

Without investigating just now whether the grievance is real or imaginary, it may be allowed, as a broad objective fact, that the belief in question exists and that it is contributing powerfully to the prevalent discontent. Here in Mexico, for example, the common people have been stirred up by a vague notion that they have been unduly exploited by the rich—by the great manufacturers and the great landowners. We are not seeking, we repeat, to determine just now how far such complaints are just. It is sufficient for the purpose of our observations that they exist.

Of course in the United States, and other advanced and enlightened countries, the opinions that form the basis of the demands of labor are held with a clearness, a distinctness and a coherence which it would be absurd to look for here in Mexico. And this fact will make the situation here somewhat harder to

deal with. Take, for example, the agrarian problem. Señor de la Barra, the former provisional president, said in the message to Congress in which he reviewed the period of his administration, that the masses of the people in the rural districts were possessed by the idea that the triumph of the revolution meant the almost immediate division of the land and its free distribution among a large number of small agriculturists, without any regard for the complexity of the problem and the careful study and consideration that will be necessary for its solution if the realization of the plan is not to produce evils worse than those which it is desired to remedy. The present government is sincerely desirous of creating a large class of peasant proprietors and the former government had also recognized the necessity of undertaking measures for the same end. But the mere subdivision of large estates under government auspices, and the sale of lots on easy terms to small cultivators, will not suffice to solve the problem. There is talk, for instance, of the government's intention to buy large tracts of land in the State of Morelos for division into small holdings. Suppose the transaction accomplished and the land in question allotted on the most advantageous terms, for cultivation, to small *rancheros*, and it may be asked: How many years would elapse, in the case of the improvident owner, addicted to strong drink and gambling, and fonder of such diversions as cock-fights, *jaripeos*, and the like, than of hard and steady work, how many years would elapse before his holding would be reabsorbed into the estates of the large proprietors? And this not through any fault of those proprietors, but simply as a natural result of the shiftlessness and unthriftiness of the man whom the government had sought to legislate into the status of an independent cultivator of the soil. Character, in other words, is a vital factor in this problem, and character is not made by legislation.

The government, no doubt, would take precautions to prevent the hypothecation of the small holdings during a given period of time, but even supposing that those precautions could not be evaded, it is quite certain that, at the expiration of the period, the government would cease to have any control over the matter, and then, it is to be feared, a considerable proportion of the small holdings, though not all, perhaps, would gravitate back to the estates from which they were purchased.

We do not wish to be pessimistic or to give the idea that a

class of peasant proprietors can not be created in Mexico. But what is quite evident is that it is not a reform that can be accomplished by a cut and dried formula that will produce the desired results with the suddenness and certainty of an Open Sesame! No; it is a reform that will demand prolonged study and the most careful adaptation of means to ends. And in the meantime the people are impatient. They do not understand the difficulties of the enterprise and demand immediate action.

We have dwelt at some length on one phase of popular unrest in Mexico, because it seems to be the most serious, but the agitation that is being conducted among the operatives in factories also presents disquieting aspects. The danger of a crude Socialistic propaganda in Mexico is great in proportion to the comparative unenlightenment of the working class.

Thus it will be seen that the labor problem in Mexico is a delicate one just now. We do not wish to exaggerate the gravity of the situation. No doubt the authorities, respecting the rights of all, will succeed in meeting the difficulty but they will need tact, foresight and discretion.

In the United States, where, as we have said, all these issues are much more clearly defined, Dr. Schurman still complains that the nature of the problem is not sufficiently understood or appreciated, for we find him saying in the course of his address:

"The disquiet and unrest of the age have to do with the condition of multitudes of men and women who work hard to create the wealth of the world and who receive a wage which they believe incommensurate with the value of the services they render and which they know to be inadequate for the maintenance of a decent livelihood.

"Genuine sympathy with these toilers and an intelligent appreciation of their condition must be the beginning of any constructive work in contemporary American politics. And in spite of growing sympathy and helpfulness, nothing is more surprising than the indifference with which political leaders and prosperous business men regard this distressing situation."

Something will have to be done in all lands, if serious consequences are to be averted.

In Europe, and perhaps in some Spanish-American countries, the causes of unrest are not confined to the conflicts of capital and labor, but are also connected with excessive taxation, due in



some cases to the demands of the military and naval budgets and in other cases to mere administrative wastefulness and inefficiency.

But, when these and other causes of the prevalent unrest have been allowed, there still remains an influence which is felt, which is in the air, but which it is not very easy to define.

And it is an influence that is not confined to any particular country but is worldwide, operating alike in the most enlightened and the most illiterate nations.

What is it?

Perhaps, the relaxation of the bonds of religion.



## Literary Notes

At a time when so much thought is being given to the subject of International Arbitration, a work that has just been issued by the Yale University Press is particularly welcome. "International Arbitration and Procedure," by Robert C. Morris, D.C.L., is the latest work on the arbitration controversy, and is a valuable contribution to the literature thereon. There appears at the outset a laudatory Foreword by President Taft, in which he acknowledges indebtedness to the author "for much information in the present volume."

Mr. Morris is particularly well qualified to present the question of Arbitration in its various aspects. He is a member of the New York Bar; has for eight years delivered lectures in the Yale Law School on this subject; and his experience as counsel in the Venezuelan Arbitration in 1903 brought him into contact with the practical difficulties of adjudicating between nations.

The work under consideration reviews the question of arbitration in ancient and medieval times; gives the history of some of the important arbitration of recent years; discusses the various questions that arise in international controversies and disputes; and shows what the Hague Conference has accomplished, explaining the procedure that is in use, and noting the general movement for arbitration among civilized nations.

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"Salvador of the Twentieth Century," by Percy F. Martin, F.R.G.S., is the most comprehensive description of the smallest Central American Republic that has so far been published. The story is told in simple but enthralling language, and the information presented is derived from the most authoritative sources available. The history of Salvador has a peculiar fascination for Americans, from the fact that in his explorations of the New World, Columbus discovered it in 1502. For more than three hundred years it lay under the blighting and cruel rule of Spain, until the general revolt of the peoples of Southern America, that led to their throwing off the Spanish yoke, spread to Central America, and Salvador became a Republic. Its career has been one of much turbulence, many vicissitudes and pitiless internecine warfare in its most revolting aspects. After all the bloodshed of the past, the question arises, whether the end has now come. Today the people seem to have "an exceedingly

clear and precise knowledge of their prospective or immediate requirements; they have as enlightened leaders among them as ever their powerful northern neighbor possessed or possesses; all that they ask is the freedom to manage their own affairs in their own way and in their own time." This book deserves careful study by all who wish to realize the changed conditions that have in recent years taken place in the Central American Republics in general, and in Salvador in particular.

The reader will find in "American Oratory of Today" many speeches on patriotic and other occasions by orators well known and familiar because of frequent quotation; but he will be filled with surprise to encounter in these pages passages of the truest eloquence and most sustained rhetoric by men whose names are not blazoned on the roll of fame, and whose reputation is more or less local. It is inspiring to think that American oratory still holds sway and is potent in influencing men's thoughts and actions along the lines of uplift and progressiveness in an ever advancing civilization. We should like to quote some of the burning words here gathered, as we peruse them, but it would be invidious to make selection where all are good. At this period, it is particularly appropriate that the first selection is "Hugo Grotius and International Peace," by Andrew B. White, former United States Minister to Russia and to Germany, and that the volume ends with "The Prince of Peace," by William J. Bryan.

"Savings Banks Defined" is a useful brochure issued by Payne & Co., Bankers, Brooklyn, N. Y., from whom copies can be obtained free of charge. It gives just the information that depositors need in order intelligently to understand the working of those institutions. There is a good deal of vagueness in the minds, even of depositors, regarding the organization, operation and method of accounting in Savings Banks, although their popularity is always on the increase. This booklet tells in simple language all about the subject and gives some valuable, albeit much needed, "Savings Banks Don't." There is a lucid explanation of the duties of Executors and Administrators and Guardians; and the booklet ends with a carefully prepared Glossary of banking, financial and legal words and expressions that will be of great help to investors.

International Arbitration and Procedure. By Robert C. Morris, D.C.L. Yale University Press. \$1.35 net.

Salvador of the Twentieth Century. By Percy F. Martin, F.R.C.S. Longmans, Green & Co. \$4.20 net.

American Oratory of Today. Edited by Edwin DuBois Shurter. South-West Publishing Company, Austin, Texas. \$2 net.

## With Our Publishers

TRUE to its policy of forging ahead of time and presenting subjects of the most vital concern in our national career, THE EDITORIAL REVIEW in its January number scored another signal triumph.

At the outset of the New Year it is well for us as a nation to see whether "our house is in order" and how we stand, financially and commercially. "A Decade of Banking Progress," by Lawrence O. Murray and "The United States as a Commercial Power," by Oscar P. Austin, Chief of the Bureau of Statistics, Department of Commerce and Labor, will give "heart of grace" to any one who may be pessimistic and gloomy in regard to the stability of our banking system and the future expansion of our commerce, foreign and domestic. They are articles of encouragement and full of meaning.

Fire is an ever-present menace in the community and the havoc wrought by it in sacrifice of human life and property is a heavy enough toll. Mr. William L. Ransom contributed a most interesting and well-ordered article on "Building Construction and Fire Prevention," in which he gave the practical steps that have been and are to be taken to prevent the holocausts of the future, through better building construction.

The Panama Canal is much talked of nowadays. Mr. Lewis Nixon had an article on "Panama Canal, Regulation of Commerce," which all will read with interest who realize the immense potentialities of the opening of this highway of the world's commerce.

The people of this country have been deeply stirred by the Russian treatment of American Jewish citizens traveling in that country. Congressman Sulzer wrote a timely article on "Why Should the Russian Treaty be Abrogated?"

The problem of the Trusts still occupies much public thought and attention. Prince Orazio Di Cassano-Zunica covered a phase of the question that is a little new, viz.: "A European View of

Trusts," which will please those who like to look at all sides and every viewpoint of vital national problems.

In no single magazine except THE EDITORIAL REVIEW can you, month by month, keep posted on *the* uppermost questions of the day or get a clear prevision of the future trend of thought and events throughout the civilized world.

Our periodical is a "small cosmos" of the globe, a mirror in which are pictured and explained the forces for good, for reform, and for uplift, that are blazing the way to a higher plane of civilization and a broader humanitarianism among the nations of mankind.

# THE EDITORIAL REVIEW



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## CONTENTS

	PAGE
The Cost of Living Inquiry	187
Timely Topics	189
Shall Capital Punishment Be Abolished?	193
The Penalty For Murder	196
Why Not Take The Post Office Department Out of Politics?	198
Post Office Reform	206
Forces and Factors Making For Industrial Peace	207
An Industrial Investigation	213
Our National Library and "The Rarities"	215
Our National Library	220
The Reform Of Legal Procedure	222
There Is Need Of Reform	227
Men Of Finance In The Field Of Music and Drama	229
The New Theatre	235
Our National Problems— The Application Of a Constitutional and Scientific Solution	238

## CONTEMPORARY JOURNALISM

Independence Daily Reporter (Independence, Kansas)	247
Prohibition	250
The Advance of Conservation	251
Wilson's Tariff Views	252
Governor's Salary	255
The Conservation of America	257
Home Rule Again	260
Socialism in Germany	263
Princeton's New President	266
But Most Of Them Never Happened	267
Literary Notes	269
With Our Publishers	275

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THE EDITORIAL REVIEW is a high-class journal of original thought and the medium for the selection and presentation of dominant editorials of the daily press, thus denoting the views of different sections of the country.

It appeals to those who desire information on questions of high particular and general import. It is a class publication for those who wish to keep pace with every important movement in current general history

## THE INITIATIVE AND REFERENDUM.

---

THE rapidity with which the Oregon idea, adopted in 1902, has spread from State to State is one of the most remarkable political phenomena of recent years. From sporadic propaganda for direct popular control there has arisen apparently a widespread demand for the right of States to determine the form of government that may seem best adopted to their particular needs.

The Initiative and Referendum have been discussed favorably and unfavorably for a long time in all parts of the country. Controversy has been strong as to the constitutionality of the legislation authorizing their adoption by the States, on the ground that this form of government is not republican in the broadest sense of the word, and that therefore it is not in accordance with the specific guarantees of the Constitution.

It was decided to test the legal status of this new departure in State governmental administration. This test has resulted in the notable unanimous decision of the United States Supreme Court on February 20, which has clarified the confused ideas existing in regard to the respective functions of our three coördinate branches of government.

This modern political innovation is held to be one entirely within the jurisdiction of Congress which alone has the power to act as to its constitutionality, the judiciary having no voice in the matter.

This decision brings the Initiative and Referendum into national politics more markedly than when they were regarded by many persons as merely experiments by eleven commonwealths. In the coming campaign there will doubtless be much discussion of this issue.

Whether the Initiative and Referendum, which are indeed but revivals of very old and crude modes of government, will be permanently adopted as useful machinery for a betterment in legisla-



tion and administration, will depend upon the decision reached as to their merits rather than upon whether they are in accord with the spirit of republicanism.

The whole question is one of great interest to the earnest student of present-day conditions, for it brings up the controversy of centuries ago when, among the Greeks, it was decided to substitute legislation by representatives instead of by popular assemblies. In other words, representative government *versus* direct popular control is now more than ever on trial.

The Supreme Court holds that it has no power to compel Oregon, or indeed any other State, to adopt a different form of government, having expressed no opinion or judgment upon the merits or demerits of the system, which, it ruled, was one for Congress and for no other power to control. It gave no sanction to the Initiative and Referendum, but merely expressed the opinion that any State that wished to adopt them might do so, unless Congress should interfere.

Undoubtedly the decision will in the future have far-reaching effects upon our State governments. The trend of political action is largely influenced by the attitude towards it of the judiciary, particularly by that of the highest court in the land.

THE EDITOR.

## Timely Topics

*Shall Capital Punishment Be Abolished?* by William Crowell Doane, emphatically advocates the retention of the death penalty for murder, as being a deterrent to crimes of violence. Bishop Doane treats the subject from historical, Biblical and statistical points of view and deprecates the sentimentalism that prompts the demand for the abolition of capital punishment. He regards it as mistaken in both character and effect, confirming his position by showing how certain States that abolished it have been obliged, after a time, to restore it, owing to increased crime. The Bishop feels that the old Mosaic law represents the revealed will of God and that disregard of it produces only harm. He cites opinions to demonstrate the unwisdom of substituting incarceration for capital punishment.

*Why Not Take the Post Office Department Out of Politics?* by George W. Norris, is a timely article in view of the approaching Presidential election. Congressman Norris writes in no censorious spirit of either political parties or public officials, declaring that "it is the *system* that is wrong and that relief can not come by simply changing the men in control." The Post Office Department represents the greatest working machinery in the world and affects business, commerce, religion, education—in fact, the entire public in its varied relations in life. The work of the Department and its ramifications is outlined, and a strong plea is made for the removal of the departmental heads and the army of employees from partisan politics. Under present conditions, the Post Office Department constitutes a great and important political machine, whereas its duties are not of a partisan character. For this reason there should be a detachment from political control, thereby promoting greater efficiency and effecting considerable economies. Competency, not political influence, should determine the appointment of postmasters, who would then, Congressman Norris believes, enter upon their work as a life profession, and they would, under the changed conditions, better the Department and the whole service. To divorce it from partisan consideration or control, could be brought about by a slight change in the law, and the writer thinks that all patriotic citizens should help in crystalliz-

ing public opinion to place this national institution on a sound business basis.

*Forces and Factors Making for Industrial Peace*, by Harry Phillips, contains an earnest plea and strong arguments for a forward movement in the direction of industrial peace. Mr. Phillips is ex-Alderman and Deputy Mayor of West Ham, London, England, and Honorary Trustee of the Dock Workers Trade Union, the membership of which exceeds one hundred thousand. He is now lecturing in the United States and Canada on labor problems and industrial conditions. This article puts in a very forceful way the need of organization of both capital and labor and indicates the good that results when Capital, Labor and Public Opinion, the three determining factors in the upbuilding of a nation, work in unison with one another and effect industrial peace. Mr. Phillips shows, by examples cited in explanation, the hopelessness of force and compulsion in trade unionism, and the indispensable necessity for the coöperation of employer and employed in promoting peace and good understanding. A series of conferences between masters and men, organized and unorganized, is strongly advocated "for the purpose of a new Industrial Union based on the principle of profit-sharing and copartnership as tried and proved successful in numbers of works and factories both in America and in Europe."

*Our National Library*, by Herbert Putnam, gives an interesting and authoritative account of the present status and future possibilities of the Congressional Library at Washington, D. C. Mr. Putnam is the Librarian of that institution which, from the numerical standpoint, ranks third in the world, in books and manuscripts. Comparing the storehouse of literature contained there with the treasures in the libraries of the Old World, and the immense values of rare works, he thinks it doubtful whether any research library now has adequate funds to enter into competition with private collectors and connoisseurs of "specialties." Attention is, however, called to the fact that the Library at the Capitol is to stand in the future, as in the present, as our *National Library*, and the question therefore arises whether it ought not to possess "distinction" as well as serve practical, utilitarian purposes. Hitherto the policy has been towards the latter, "by applying its resources broadly over the literature valuable to research for its content" and the Library has become a bureau of information and a cataloguing center, having little or no "distinction" such as marks the older libraries in the possession

of "rarities" of the bibliographic world. Mr. Putnam asks whether our National Library should altogether lack fine examples of typography and source—text manuscripts, giving his opinion that the answer lies with the private collectors in America. If they adopt towards the Congressional Library an attitude similar to that of Englishmen towards the British Museum, there will be no lack of rare books and manuscripts at the Capitol of the United States.

*The Reform of Legal Procedure*, by Max B. Harlin, discusses a subject of timely interest in view of notable law cases that are being widely discussed at the present time. Mr. Harlin, who is a practicing attorney at Bowling Green, Kentucky, considers in some detail several of the reforms that are regarded as needful, and explains the legal procedure that obtain, especially in criminal cases. The statutes, he points out, cover every phase of perjury and the law is ample to reach any who might attempt to disperse witnesses and so prevent justice being done. In his own State, Mr. Harlin claims, from an observation of many years, that unnecessary delays are rare. He shows the practical difficulties in the matter of compelling a defendant to produce documents that may make his guilt clear, and also in abolishing expert testimony in civil and criminal trials. "The practice of paying exorbitant contingent fees to experts" is condemned in unmeasured terms. The procedure in Kentucky relating to appeals to the Court of Appeals, and the "Unwritten Law," are laid down, and he concludes by characterizing the reforms that are being demanded as, in some cases radical, in others conservative, and by warning that caution is necessary in changing radically the present established modes of legal procedure.

*Men of Finance in the Field of Music and Drama*, by Robert Grau, accentuates the immense changes that have taken place of late years in the financing of Grand Opera. Mr. Grau is an authority on musical and theatrical matters and has contributed several interesting articles upon various phases of the profession to the pages of THE EDITORIAL REVIEW. In this article he shows how the day of the old-time impresario is past, and that of wealthy Directors has taken its place. The entrance into the field of Grand Opera by men high in finance and politics in New York, Philadelphia, Chicago and Boston opens a new era, and promises almost illimitable possibilities for the future in music and drama. Mr. Grau will contribute to THE EDITORIAL REVIEW each month,

beginning with the May number, an article treating of some phase of the amusement calling.

*Our National Problems—The Application of a Constitutional and Scientific Solution*, by Edward Stern, contains in this second part, an able argument against the undue concentration and control of wealth by a comparatively few. For the economic evils resulting therefrom, which he analyzed in our February number, he offers a specific remedy in proposing that the national government should regulate the three main factors—land, money and transportation. With regard to money, the most mischievous hindrance to economic betterment is the unstable purchasing power of the American dollar. To insure stability therefor he advocates a national monetary commission, having positive authority to enforce an ordinance that every dollar in circulation shall be legal tender for all debts, and receivable in payment of all taxes. Money whose purchasing power varies is, he affirms, dishonest, although it be made of the purest gold. National control of interstate railroads would, by changing railroad securities into United States government bonds, provide legal tender money to be used in regulating the general price level in the public interest. Mr. Stern, who is opposed to the single tax, socialism, and the so-called panaceas of visionary theorists, holds that the evils against which they are directed would be overcome by his plan of "access upon a basis of equality," and that it would solve effectually the many grave problems that confront the people today in their inter-relations, business and social.





**WILLIAM CROSWELL DOANE,**  
**Bishop of the Episcopal Diocese of Albany.**

## SHALL CAPITAL PUNISHMENT BE ABOLISHED?

BY WILLIAM CROSWELL DOANE.

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THE question of abolishing capital punishment has recently been much discussed, particularly in New York State, and, as usual, opinions differ widely as to the advisability of such a departure. It is not a subject, it seems to me, that needs any amount of expansion, because it turns really upon the single fact that Moses records in the Book of Genesis, the law which far antedates his time, and which is plainly a revelation of the law of God. The opposition to this I regard as mistaken in both character and effect, and to be very largely sentimental.

It is a somewhat curious confirmation of the position, that in the four States where capital punishment has been abolished, murders have steadily increased. In Michigan, Iowa, Colorado and Rhode Island, the legislatures restored the death penalty after a short time, owing to the marked increase of crimes of violence. In Michigan this increase was as high as twenty-five hundred per cent., and in Iowa between 1872 and 1876 it was very rapid. In New York State it was restored and a voluminous report to the legislature set forth the conditions that called for a reverting to the death penalty. Abroad, the abolition has been followed by increased crime. In Switzerland, Austria, and other European countries, the temporary trial led to the readoption of the earlier practice.

It is, in my opinion, childish to confute the fallacy that the commandments "Thou shalt not kill" and "Thou shalt do no murder" contradict the old Mosaic law. I really think it is time we contented ourselves with the fact that whatever theories we may have, where there is a single plain revelation of God's law, we may be absolutely certain to find no contradiction of it in any other portion of the Bible and that only harm can come from our disregard of it.



Genesis IX, 5-6 plainly sanctions the death penalty for murder. "And surely your blood of your lives will I require; at the hand of every beast will I require it and at the hand of every man's brother will I require the life of man. Who sheddeth man's blood, by man shall his blood be shed, for in the image of God made He man."

Of course, the penalty of death should be, as it is in civilized communities today, inflicted only for murder and treason.

In the early stages of society, a manslayer was killed by the "avenger of blood" for the family, and not on the authority of the State.

In the laws of Khummurabi, King of Babylon (2285-2242 B. C.), the death penalty was imposed for many offenses which today would be considered as minor delinquencies.

Some one has said that "the worst use you can put a man to is to hang him," and there are many who indulge a romantic sentimentality based upon a belief in the perfectibility of human beings and the possibility of reclaiming to paths of goodness the most vicious criminals.

The question is whether or not the fear of capital punishment is a deterrent to crime and whether, if society has the right, which it undoubtedly has and exercises continually, to protect property, it has not an even stronger right to protect life. It has been thus laid down by eminent jurists regarding personal rights to protect life:

"If a person attempts to take away my life I have doubtless the right to protect myself, and if I can not secure myself but by taking the life of the assailant, I have the right to take it. If men had the right to form society for mutual benefit and security, they had the right to punish other persons who would overthrow it."

Experience has shown that capital punishment has a powerfully deterrent influence in diminishing crime. In his message of 1906 Governor Bell of Vermont said: "As a safeguard against violence and as a protection to society in general, the law making capital punishment for murder should be retained on our statute books."

Not only in the United States but also in European countries the death penalty has been shown to act as a deterrent of crime.

The opinions of some medical men and of scientists like Lombroso regarding "criminal atavism" have created a senti-

mental feeling that has led to the incarceration instead of the execution of many criminals guilty of capital crime. Charles Kingsley once said: "It was strange for the community to preserve and feed a class of men convicted of capital crime and to give them the finest air in England and the right to kill two jailors a week."

In England the question of capital punishment was investigated by a Royal Commission which issued a report in 1866 that contained important recommendations regarding the infliction of the death penalty.

The whole controversy resolves itself into the question, whether by abolishing the death penalty altogether, either on pseudo-religious or humanitarian grounds, society would not expose itself to dangers from individuals who have proved themselves unfit for society by disregarding the laws of God and man by taking human life.

*Jm. C. Lowell*

# Editorial

## THE PENALTY FOR MURDER.

(*Troy Times.*)

THE sentimental agitation in favor of the abolition of capital punishment is getting some hard knocks from prominent places. Three men of experience in high stations are the latest to express their opinion: Bishop William Croswell Doane, representing the church; Chief Judge Cullen, of the Court of Appeals, representing the law, and Hon. C. V. Collins, of Troy, who was for many years identified with the management of the prisons of this state. All of these think that the death penalty should be continued, each speaking from the standpoint of his own experience in the department of his own activities. Mr. Collins raises the point which penologists have often brought forward that the murderer who is imprisoned for life may murder again in prison without penalty under the law which refuses to impose capital punishment. The trouble with the enemies of the death penalty is that they view the situation as affecting the murderer alone. To be sure, the victim is dead, but society owes a duty to him nevertheless. To this duty is added that which society owes to itself. The law-abiding citizen is theoretically guaranteed protection of his life against criminal attacks. The state can not read a murderer's thoughts, or it would prevent him from his murder. It does its best to prevent him by forbidding him to carry the weapons with which murder is usually committed. But when he has done the deadly deed, and therefore compelled the state to default on its contract for the protection of its citizens, it can scarcely be called the justice of punishment to feed, clothe and house the murderer under conditions which will probably prolong his own life to greater years than it would otherwise reach, while his victim has been denied the opportunities of living which his strength and his good citizenship might otherwise have pledged him.

The New York World makes the strong point that the best way to abolish capital punishment is to enforce the death penalty, because the experience of England has shown that the more strictly the death penalty is given for murders the fewer the number of murderers to undergo it. The old law of the avenger of blood was superseded because society agreed to take upon itself, with more accuracy and assurance of penalty, the work of avenging crime. If instead of the life for the life the community substitutes the continued hospitality of many years, it will not be surprising if the old demand for justice should re-assert itself and the blood avenger again become familiar, undesirable as that result would be in these days of legal action

## WHY NOT TAKE THE POST OFFICE DEPARTMENT OUT OF POLITICS?

BY GEORGE W. NORRIS.

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THE Post Office Department can be likened to a great corporation. In the proper performance of all the duties pertaining to this great department, it reaches into every nook and corner of the country. It comes nearer and closer to the people than any other department of government. Its officials and employees come in contact with every business; with every society; with every organization; with every home. Its financial transactions run into the hundreds of millions of dollars. Business, commerce, religion, education—all depend upon it to carry out their various functions. It is like the arteries of the human system. It reaches everywhere and assists every citizen, be he great or small, in carrying out his duties and fulfilling his obligations. We are all daily dependent upon it for the success of our business enterprises; for the education of our children and for the happiness and comfort of all our people. If we should suspend the operation of the Post Office Department for one day, we should all be completely lost in a maze of bewilderment. It does not cease its work and its operation when nightfall empties the counting house, closes up business offices, empties our schools and drives the busy life from off our crowded streets; but while we are all slumbering in peace, recruiting and renewing our strength for a new day, its employees and faithful servants are toiling during the weary hours, in the performance of their various duties, separating on busy pounding railway trains or in countless city post offices, the millions of missives, messages and documents that shall in the coming morn, be promptly placed in the waiting hands of millions of citizens.



GEORGE W. NORRIS,  
Member of Congress from the Fifth District of Nebraska.

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In all this great department, from the faithful rural carrier who delivers mail to the farmer upon the far western plains, to the Postmaster General who sits in his luxurious office in our nation's capital, there is not a single, solitary duty to be performed by any of its countless employees and officials, that is either directly or indirectly, of a partisan political nature. In addition to the vast number of employees in this department, there are thousands of others working in mills and factories, preparing equipment and equipage that shall be used by these post office employees in the performance of their official duty. Altogether they constitute a great army, working with ceaseless vigor, for the success and happiness of all the people, regardless of creed, religion or politics. There is nothing like it in all the civilized world. It has been found necessary in order to make this great department effective and workable, to remove the major portion of the employees from partisan political control. In this great army, the privates—the men who do the work—are already under the Civil Service. The major generals, the colonels, the captains, the lieutenants, the bosses—are still subject to removal on account of political affiliation and are appointed, not because of their efficiency or experience in the affairs of the Post Office Department, but because of their influence in politics and their ability to control and manipulate political affairs. What should we think, for instance, of the great Pennsylvania Railway Company, if, when there was a vacancy in the presidency of that great corporation, the stockholders should select a president who had had no experience in railroad affairs, excepting to occasionally ride in a palace car; and put in control of that great institution, a man who was selected entirely on account of his ability to control the votes of his fellow-citizens. How long would this company remain out of the hands of a receiver, if, in addition to that, the stockholders should announce that hereafter, there would be no opportunity or chance for the employees of the company to be promoted on account of efficiency, but that conductors, road-masters, freight agents and general managers would be selected, not by promotion of men already in the employ of the company, but from men outside of the service, on account of the political influence such persons might possess in the community where they resided?

There are nearly eight thousand presidential postmasters in



the United States. Almost without exception, these men have been selected, not because of any knowledge they possessed of the duties pertaining to the office or their understanding of the various workings of the Post Office Department, but because of their political influence in their respective communities. I know of an enterprising, beautiful city in the state of Ohio, where the assistant postmaster has been in the post office service for nearly twenty years. He understands every detail of the work. There is not a single, solitary duty connected with the post office in that city that he could not take up and perform with practical perfection. He gets a salary of eleven hundred dollars a year. There is no way for him to be promoted, unless he has a political pull. He himself is under the Civil Service and can not be removed, except for cause, but he has reached the limit and under the law, can not be advanced or promoted. He possesses knowledge gained from his experience, and has the ability properly to take control in a much wider and broader field. He knows all about the post office and the Post Office Department, but he knows nothing about politics; has never had any experience as a politician and has no liking or ability to control a political machine nor handle men in a political way. In that city, there was recently appointed a postmaster who had never had any experience in post office affairs. I presume he had never looked outward from behind a post office counter. He was a man of high social standing and respectability. He knew nothing about post office affairs, but he knew all about political affairs. He was the most prominent politician in the town. He controlled more votes than any other man there. He went into this post office at a salary of twenty-four hundred dollars per annum—the largest salaried official in that city. The assistant postmaster gives him the necessary instructions as to the performance of his duties. One does the work—the other draws the salary. He will in time become efficient without doubt, but by the time he does become efficient, political conditions may have changed. There is even now a bitter fight between two factions in his political party, for supremacy and control. If his faction loses, he will go out of office and the faithful assistant postmaster will have a new man to instruct and to break in.

We have in the city of Washington, four Assistant Postmasters General. The Fourth Assistant Postmaster General has

control over more than forty thousand rural routes scattered all over the country. He also has the custody of all the supplies for the entire Post Office Department, and has control of the disbursement of the same. His jurisdiction reaches every section of the country. The proper performance of his official duties requires a vast knowledge of the intricacies of the system and the duties of his office can not be fully, properly and economically performed without long study and experience in the great department which he controls.

The Second Assistant Postmaster General has control of the railway mail service. He has charge of the transportation of mail by railroads. It is his duty to arrange all the details connected with the transportation of foreign mails. He looks into the way that star route contractors perform their service. He has charge of matters pertaining to the furnishing of mail bags and other paraphernalia connected with the administration of the Post Office Department.

So we might go on through the entire list. All of these Postmasters General are political appointees, but their duties are non-political, non-partisan. They can not properly perform them until they have studied and learned from experience, the intricacies connected with the various departments of the service. Men are usually appointed to fill these places either as a reward for political service, or because they are expected to perform through their official places, political services for some friend or some political machine. Like the postmasters, they must be instructed in the proper performance of their official duties by men who have been in the service and who have learned from experience, what those duties are. Let us take the position of Postmaster General. If we examine the duties prescribed by law for the Postmaster General, we should look in vain, for any official duty that is in any way connected with politics. He is the head of what ought to be a great business concern. He is the president of the greatest corporation on earth. In his official capacity, he has nothing to do with politics, and yet, because of his connection with this great concern, he has through his inferior officials and through all presidential post offices scattered all over the country, the power of the greatest political machine in the country.

Why should the tenure of office of a postmaster in Kansas or Nebraska, depend upon the opinion of the President of the

United States as to what kind of a tariff we ought to have? Why should a postmaster be removed and a new, inexperienced man be put in his place, simply because one faction in a political party had succeeded in nominating a different man for Congress? In other words, why should the office of postmaster be a political partisan football? Why should we change postmasters simply because we change Congressmen? Why change postmasters all over the country every time there is a change of administration in Washington? Why not conduct this great corporation on a business basis? Why should we not provide by law, that where an employee has shown by his ability that he is capable of wider fields of operation he should be promoted or transferred to some better position where the country can get the benefit of his usefulness? When a railroad president finds that an agent in some little town has ability beyond the scope of his particular station, he promotes him and gives him a better position. Men who formerly worked on the section, have been promoted until they became presidents of great railway corporations, and it is an historical fact that such men make the best presidents. They know every detail of every position. They have learned from experience, how to economize, how to safeguard and how to increase business.

Every postmaster knows that he will lose his position just as soon as his party loses control of the national government, or what is equally uncertain, just as soon as his faction in his political party loses its control. On account of this uncertainty, postmasters can not be expected to give their best efforts to the Post Office Department. From the very nature of things, they become politicians. Their official lives depend upon it. On account of this uncertain tenure, the postmaster does not give up his business, profession or calling. It would be wrong to expect him to do so. He must be prepared for the day which he knows is coming, when he will be put out of office and again be dependent upon his own efforts for a livelihood. The Post Office Department ought to receive all his time and all his energy. If he shows exceptional ability and competency, it ought to be possible to promote him in the service. Under present conditions, the man who is postmaster has no way, regardless of the ability he may display, for promotion. He has reached his limit. This is not true of any business concern in

the civilized world. It ought to be possible for a clerk or postmaster in a country town, without political influence or political pull, but by his own ability, his own industry, to reach the highest position in the service and become the head of the Department in Washington. It ought to be possible for the railway mail clerk to advance, step by step, and eventually, on account of his own competency, reach the position of Second Assistant Postmaster General. If this were possible, we should have new life in the Post Office Department. Every employee would be moved by a laudable and honest ambition to reach the higher positions in the Department. Men, instead of going into the Department for temporary purposes only, would enter it as a life profession. Postmasters, instead of devoting their time and their attention to looking after and keeping in touch with private affairs, would devote all their time—all their energies—to the betterment and upbuilding of the Post Office Department. It would become a profession by itself, where ability and competency would be displayed for the improvement and the economical administration of the department.

To bring about such a condition would require but a slight change in the law. We ought to provide by law for the appointment of postmasters by promotion from men already in the service, for the transfer of post office officials, railway mail clerks, etc., from one place to another. The entire system ought to be managed under rules and regulations provided by the Civil Service Department. The entire Department should be absolutely divorced from partisan consideration or control.

The position of Postmaster General ought to be taken out of politics. His term of office ought to be for a term of at least ten years, and there ought to be specific provisions of law that he should administer the affairs of this great department along business lines and that no partisan political influence should have anything to do with the appointment or promotion of any of the officials.

Under present conditions, the Post Office Department is and must necessarily be a great political machine. In round numbers, there are eight thousand presidential postmasters in the country. Under Republican administration, there are some states where postmasters alone completely dominate the political situation and absolutely control conventions. If we had a

Democratic administration, there would be other states in other sections of the country, where Democratic appointees would name delegates and control Democratic conventions. In other sections where the party in power was not completely dominated by the bribery of official patronage, this army of political appointees would nevertheless, have great influence and in many instances, would be able to hold the balance of power in the selection of delegates and in the control of conventions. We do not have to study ancient history to obtain proof of these facts. The demonstration can be observed in any community, by any man who will open his eyes, and look. And what is going on today is only a repetition of what has happened many times in the years that are gone,—happened under the administration of both of the great political parties. Practically every post office in the land is an active living reminder of the existence of this great political machine—a machine that has controlled conventions in every section of the country. In the recent past, it has several times, nominated candidates for president and even now, within the protection of its long shadow, are quietly resting its willing delegates to an approaching national convention.

But it is not the intention of this article to offer any criticism against political parties nor to censure any of our public officials. Much might be said along these lines, but I desire for the present, at least, to eliminate such consideration. As long as the system remains as it is, conditions will be the same, no matter what political party is in control. It is perfectly natural that an appointee should be friendly to the party from which he receives his appointment and to the official or the boss who makes the recommendation that brings about his appointment. I am not complaining because postmasters work and contribute funds for the political party or the political faction that puts them in office. They would be guilty of ingratitude if they did not. They are expected to do this under our present system, by the people of the community where they live. I am not complaining that Congressmen are anxious to recommend postmasters who are their friends and belong to their faction of their political party. It is perfectly natural that they should do this. I am not finding fault because a President refuses to appoint postmasters who are unfriendly to him or to his administration. Under the law as it now is, it

would not be human to expect him to do otherwise. Human nature is the same, regardless of what political party may be in power. It is the *system* that is wrong, and relief can not come by simply changing the men in control.

All patriotic citizens who desire to see the Post Office Department taken out of politics and placed on a business basis, ought to favor the changes above suggested. In addition to the increased efficiency of the Department, it would bring about great economies. If these changes were made, it would be possible to reduce the salaries of most of the postmasters. Postmasters themselves, if placed upon the suggested tenure of office, with the possibilities of promotion and advancement, would be perfectly willing to have material reductions made in their salaries. From a computation which I have made, I am satisfied that in this item alone, there would be an annual reduction of nearly one million of dollars. There are many other economies and improvements that will suggest themselves to any man who will give the question thought and consideration. It would not be long before many improvements could be put into operation in the Department—among which would undoubtedly soon come one cent postage.

This plan will be opposed by every political boss and by every political machine in the country. They will not make an open fight against it, because there is no argument in favor of the present system that will stand a critical analysis in the open light of publicity. The opposition to it will be secret and covered. The special interests that want to dominate the political parties and through them, the Government, by the operation of political machines and the coercion of secret caucuses, will do everything possible to oppose this needed reform. The placing of the Post Office Department upon a business basis and taking it out of politics would deprive these forces of more political patronage than any other one step that could be taken. Patronage is the principal asset of the political boss and without it, the political machine can not survive. All honest, patriotic citizens ought to do everything that they can to crystallize public sentiment, which is after all the most powerful factor in legislation, to bring about this change and place this great Department of our national government upon an economical business basis.



# Editorial

## POST OFFICE REFORM.

*(Indianapolis News.)*

CONGRESS is to have placed before it the proposal to sever the post office establishment from politics and political influences. This is in line with President Taft's desires to place presidential postmasters under the civil service, but it is to go much further. The bill which has been drafted by Representative George W. Norris, the Nebraska insurgent, includes all in the postal service except the postmaster general. No one is to enter any branch of it by the old gateway of politics, and when one has gained entrance by competitive examinations he is to advance only under the merit system. The plan outlined is so broad that if a man in a small office shows unusual merit he may advance to the postmastership of one of the largest cities. The proposal is to wipe out state lines and also divisions in the service so that highly capable men may be used anywhere and in any division. The whole theory is correct.

The more we have got away from the old political plunder system, the more our postal service has improved until now the service is the best we have had. We have not progressed far, however, on the road that ultimately we must go. We shall see whether those who are in control of congress at this time have the courage to perform this great service for the nation.

The proposal comes just at a time when the President himself is not in complete command and when the plunder seekers are very hungry and full of expectancy. Undoubtedly the pressure brought to bear on the democratic congressmen will be great. But they must remember that the party that puts through such a reform will make a master stroke in politics. Many congressmen fully realize that such patronage is not an element of strength. It is the very thing that starts bitter factional fights and more congressmen have been retired thus than by any other influence. The members will do well if they eliminate this danger, for it is more deadly to political life than the temporary railings of the patronage seekers.

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**HARRY PHILLIPS,**  
Ex-Alderman and Deputy Mayor of West Ham, London, England.

## FORCES AND FACTORS MAKING FOR INDUSTRIAL PEACE.

BY HARRY PHILLIPS.

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IN the face of the deep seated and wide spread industrial unrest both in America and England just now these words "Industrial Peace" seem a mere mockery. The battle cry of strikers and "lockout" men and women is resonant and clamorous throughout the land. Yet above and beyond all this din of battle we do believe that Industrial Peace is not a dream but a possibility. It is the true ideal of the nation.

If Industrial Peace is not capable of realization, then all the prophets and seers and teachers of the Jewish race, and the Jesus of the Christian faith, were dreamers and fanatics or cruel mockers, calling men and women out to an Ideal they could not realize.

There are two great forces surging around us today; we may not be able to grasp them with our hands, but they are tremendously real and very powerful; they are the forces making for Industrial Peace, and the forces making for Industrial War, and we must either choose or decide to stand by one of these.

What are some of the forces and factors making for Industrial Concord? First, Public Opinion. That mighty and determining force which you can not put into statistics, but which is so irresistible that no body of men can stand against it.

Public Opinion is weary and sick of strike and lockout and suspension of business; of Industrial War and bad feeling. Does anyone move an amendment to this statement? Does anyone say, "I *believe* in hunger and want and strike and riot and soldiers and bloodshed, hungry women and starving

children?" No one believes for one moment that these things are essential to the building up of a great nation. At heart we are all in favor of Industrial Peace and at heart we believe that the interests of capital and labor are identical. I know the Socialist will not agree but this article is not a debate on Socialism. I am a believer in Industrial Organization. I believe in it, after twenty years' honorary experience in the heart beat of the English Labor World, and I believe in Capital Organization. I believe in capital being organized to the full, and labor being organized to the full, and both united in a common interest for increasing their business with a proportionate form of profit-sharing. That is my Ideal and wherever that has taken place there you have a very large degree of Industrial Peace.

When you have two great standing armies they will not go to war over some small or sectional difference. It has to be some great issue. Last year a great European War was averted between France and Germany because facing Germany there stood three great forces so strongly organized as to make their demands irresistible. I mean *first* the force of combined capital voiced by Mr. Rothschild and the banking element, *second*, the voice of organized labor, speaking through Herr Bebel, and *third*, the voice of England with her army and navy at her back, saying to Germany, "If you declare war against France we shall have to stand by her side." So these three forces laid their demands at the feet of the German Kaiser and "There was no war"! That is my point. That when you have both capital and labor absolutely organized, you are going to make for Industrial Peace. That Peace may be born out of struggle and strife and suffering, but it will grow in strength to the fullness of peace. I take as an illustration the best which I know, namely, the London Dock strike of last summer. What are the broad facts? I am not now going into the question of whether the strike was justifiable or not. That is not the point. Broadly we had 100,000 men united in an Industrial Organization which held up London. No food came in, no food went out. It was like a city in a siege, but not a shop was looted, not a window broken, hardly a man locked up. And the best of good temper and perfect peace ruled between police and men. No soldiers were called out to shoot down the striker or guard the strike breaker.

Within eight days the whole of that strike was settled and the men were back at work. Now that was a great object lesson. You had capital organized to the full. Every employer of the shipping interest of London was federated together, and every worker of the shipping interest was organized together. These two great combinations, of capital and labor, elected their representatives and formed a Conciliation Committee. Each elected its chairman and they met together with the genuine determination to come to peace. The *spirit* of the members comprising such a Committee, is the *really determining* factor in the settlement of the question and agreement was arrived at within forty-eight hours, signed on both sides, that no strike or lockout or change of the wages should take place for the space of twelve months, and that the Committee should meet together to settle any small or sectional disturbances which might arise. And today we witness harmony and concord reigning in the London Docks. That is Industrial Peace.

I claim that this peace might have been brought about just as well *without* a strike as with. I further claim that if Industrial Peace can rule for twelve months it could rule for twelve years.

I am assuming that the *principle* of Industrial Organization is an accepted factor in our national life today. The man who talks about shooting the labor leader and smashing up trade unionism is talking "through his hat." The labor leader and the Trade Organization stand for a great principle. You may shoot the man but you cannot shoot the principle he stands for. If it is true it is Eternal. The men of His day crucified Christ, but Christianity lives. Obviously, if capital may combine into Manufacturers' Leagues, Shipping Federations, United Steel Trust, etc., it is absurd to say to labor, "You must not combine." Such a statement is untenable today. With all its faults and failings Industrial Organization has come to stay.

The individual workman can not possibly stand alone and single handed against perfectly organized capital. The point that I am claiming is that, because those two forces are organized, it does *not* of necessity follow that they should be at war, and at each other's throats. Quite the reverse. Nor does the open shop settle the question. I mean such works as the United Steel Trust, National Cash Register Works and many others where they recognize neither the trade unionist

nor the non-unionist. I hold and I hold it as a convinced Trade Unionist, that the principle of the open shop is a perfectly reasonable one for an employer to take up. But it is not the best and will not stand in time of war. Nor has the trade unionist any real ground of complaint against it. It is absurd for the trade unionist to go to any employer and say, "You must be a delegate, an organizer of our Union and compel every workman in your works to join our organization." That is utterly unreasonable. The principle of Industrial Organization, like the principle of Christianity, must attract and hold by its own inherent force and value and beauty. "I, if I will be lifted up, will draw all men unto me," was the challenge of the Christ. And when the Church commenced religious persecution, commenced to use force, it ceased to become the Church of Christ. Exactly so with trade unionism. Compel, force, coerce, stone your non-union brother, and you have ceased to become a force worthy of respect. Force is never the lever, for an altruistic or ethical or even economic movement.

Today there are in the United States, broadly speaking, over four per cent. organized trade-union workmen out of a population of thirty-two millions, after some twenty or more years of organization. I suggest that the employer is perfectly justified in organizing that sixteen per cent. of unorganized workmen. Not in the least for a purpose of smashing up the existing organization. Nay more, if the members of the Trade Organization of today hold their principles so loosely that they would tear up their ticket and drop out of their union and join another, their organization, however large numerically, is a thing of straw. I am writing this in all seriousness.

Capital and Labor and Public Opinion are the real trinity in the upbuilding of the nation. They have at the base one common interest, and the closer these are federated together the surer and more lasting will Industrial Peace become.

Why could not the settlement of a conciliation or arbitration Board be arrived at before the strike as well as after? Mr. Will Crooks, the labor member for Woolwich quoted in the House of Commons a little while back that the Australian Conciliation Board had settled fifty-seven labor disputes out of sixty without a single strike, because Public Opinion was at

its back. A strike is a two-edged weapon, it cuts both those who lose and those who win. Also a strike always demoralizes the average workman, especially if successful. He seems to think that he has only to strike again next week and he will get another increase in wages. The success of the London Dock strike, which was unique and possible only in such an industry as the Dock and Shipping industry, absolutely demoralized England. We all caught the strike fever—men and women, van boys, biscuit girls and even school children. Now any experienced labor leader knows that you can not be constantly on the strike. Life is not a matchbox. Public Opinion sooner or later will revolt and demand some guarantee or permanency from employer and employee. Dislocation of business can not go on forever. So I come back to my point of an Organization of master and men, including the Organization of non-union men, not as a reserve force to be called up as strike breakers in time of Industrial War.

The strike breaker is the most despicable of men, sometimes he is to be pitied, poor, brokendown, unskilled, weak men and perhaps half-drunken men. Watch the strike breaker and the genuine workman during any strike and you will agree with me as to my indictment. Let me illustrate my point: Some years back in my own country, Lord Winchelsea founded a league and I had the honor of helping him. A great land league combining the Landowner, the Farmer and the Laborer into one Organization for their mutual benefit and protection. The common interest of these three classes was the land. It was from that each drew its living. And there grew up a trade union of master and laborer, for the mutual protection of each, against a foreign competition and unjust taxation, making also for peace and progress in the agricultural interests of England. They had found our common basis of agreement and value. Another illustration is the case of the Honorable Sidney B. Holland, the President of the London and Tilbury Docks, representing the great Dock interests of England. Mr. Sidney Holland organized a Union of men which was called the A. B. C. of London Dock men. It was three special grades of men making for permanent and steady weekly work, instead of the intermittent employment of the average London Docker. It was welcomed by a large

number of men. He urged as definitely and as strongly as he could, that any man who joined his organization and who was already a member of the Dockers Trade Union should not tear up his ticket or withdraw from his union because, said Mr. Sidney Holland, "It is through your Trade Union that I have learned of conditions so terrible, of which I had no knowledge and which I am now trying to remedy." Some of the men joined his A. B. C. branch and stood loyal to their organization; others broke away. The principle I am claiming worked soundly, an organization of master and men working for one object of steadier employment and industrial concord; united on some sound principle of profit-sharing and copartnership. Wherever I have found this principle established, and there are numbers of such works both in Europe and America, wherever this principle exists there you have few strikes, very few lockouts and a very little dislocation of trade.

I submit that the interests of master and men are identically those of partner and partner at the head of any firm of employers. Relatively and proportionately, of course, but there all the while. So I respectfully suggest the formation of a Forward Movement on these lines. It will meet, I know, with the bitterest opposition from a certain number of militant trade unionists and probably from the whole of the Socialist party. They have, as citizens, every right to their economic opinions. But they do not in any way represent the opinion of the workingman of this country. Judged by any test, they are numerically less and the overwhelming force of public opinion, and of every class of the community, would throw all the force of their opinion in support of any sound and tested principle which would make for Industrial Peace and Concord. So I venture to suggest as the outcome of this argument, a series of conferences of masters and men, organized and unorganized, for the purpose of a new Industrial Union based on the principle of profit-sharing and co-partnership as tried and proved successful in numbers of works and factories both in America and in Europe.

*Harry Phillips*

# Editorial

## AN INDUSTRIAL INVESTIGATION.

(*New York Tribune.*)

THE inquiry into industrial relations for which President Taft recommends the appointment of a commission is urged by economists and social workers. A vast amount of information on industrial conditions has been collected by private and philanthropic research and by state investigations, as, for example, by the studies carried on under the auspices of the Sage Foundation and, on the other hand, by such inquiries as that which this state held in regard to the justice of the laws affecting the employer's liability for injuries suffered by his employees in the pursuit of their trade. Some of this information is valuable and authoritative and some of it is probably useless, but all of it is disconnected and throws sidelights on the workings of existing institutions rather than a full illumination.

Its scrappy and disjointed character is responsible for a good deal of loose thinking. Fill a sentimentalist with alleged statistics about the low wages in some industry or the alleged unnecessary high death rate in another and he talks about the McNamaras as "soldiers in the cause of humanity." Moreover, the existing ignorance makes the righting of real wrongs slow. When a strike occurs, like that in Lawrence, Mass., at this moment, public opinion is practically powerless, even the fundamental facts being only vaguely understood. So, too, the correction of the injustice in applying laws affecting the employer's liability for injuries suffered by his workmen which were worked out for a simple society to the highly complex industrial society of today has been slowly perceived because the public has little appreciated the change that has gone on before its eyes. Mr. Taft in his message dwells on this profound change in the organization of industrial society as one of the reasons for an investigation when he says that "the



extraordinary growth "of industry in the last two decades and its revolutionary changes have raised new and vital questions as to the relations between employers and wage earners which have become matters of pressing public concern."

The inquiry, if in the hands of a discreet and intelligent commission, might contribute to industrial peace, as the inquiry by the anthracite commission did within its special field; it might furnish knowledge that would help in the formation of correct public opinion bearing on labor disputes when they arise; it might quicken the establishment of industrial justice, and it might stop the mouths of demagogues or render their mouthings less dangerous.

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HERBERT PUTNAM,  
Librarian of Congress, Washington, D. C.

## OUR NATIONAL LIBRARY AND "THE RARITIES."

BY HERBERT PUTNAM.

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THE commercial status of an article still currently produced is wholly different from that of one which is either a unique relic of the past, or one of a group whose production ceased with a particular era. The price of a diamond is determined by its intrinsic merit, its cost of production and the art which has gone into its shape and setting. There may be fluctuations due to the fancies of the moment—as, the preference for pearls. But it is those other elements which are the basis of its value in the market; and this value is "standard."

An article of the other class is in a different case. Its value, in commerce, is often a part result of its intrinsic or artistic merit, but of its cost of production not at all; and it is determined chiefly by considerations or circumstances wholly outside of itself; namely, the fancies of competing collectors, and the length of their purses. Such is the situation of an "old master" among paintings, of an illuminated Missal or Book of Hours, and even of certain printed books, either unique, or existing in but a few specimens. "*A Rembrandt*" is but one of many productions by the same artist; but "*The Mill*" is unique; and a collector is willing to part with a half million dollars for the exclusive possession of it. There exist many manuscript Missals and Books of Hours; and of these many sufficiently typical of a period, style or scribe-artist; but any given one is a thing by itself and a rarity accordingly. So a collector pays \$50,000 for a manuscript of the Gospels, unique in its art and dress. Another extends this willingness to certain printed books, paying now \$50,000 for a Gutenberg Bible on vellum,—or within six months \$29,000 for a more perfect copy on paper—although other copies exist on both vellum and paper, which represent the same type, dress, date

and printer, and therefore the same sentiment, differing only in the perfection of their "state."

That this competition should be keen for the monuments of early printing, or for rarities of intrinsic excellence, is intelligible enough. It extends also, however, to manuscripts of late date—even 19th century authors—and even to copies of their printed works of trivial merit and mediocre form, where but few copies remain, and the particular author is a "specialty" of at least two collectors.

So it is not merely the mediaeval manuscripts, and the incunabula, but even printed books of recent date that are affected. A collector of Poe pays \$2,000 for a first edition of *Tamerlane*; a collector of Bryant \$3,350 for a first edition of "The Embargo"; a collector of Burns \$5,800 for the first Kil-marnock edition of "The Works." We may marvel that he should think such a sum as \$3,350 justified for a printed copy of a short poem by a boy of thirteen, of which four other copies exist; but that is his affair. And in contrast to so many ways of spending money which are vulgar or sordid and actually consume it, one can not surely find unworthy a way which satisfies a sentiment worthy in itself and which, generally applied, is so useful in its recognition of art and of literature: especially as its effect is not to consume wealth but merely to pass it from hand to hand. Not, at least, where the participants in such a diversion are individuals spending of their own.

But when it comes to an institution handling public or trust-moneys, there are limitations which call a halt. The Government of England did indeed pay \$350,000 for a Raphael;—and nearly a quarter of a million for the Stowe collection (of historical manuscripts) for the British Museum; and certain of our own endowed galleries have doubtless spent as much as forty or fifty thousand for a single painting. It must be remembered, however, that a single really great painting may of itself give ample distinction to a gallery—and a general utility in its lessons to the student of art—while a single manuscript or printed book, while it may give a certain distinction to a library (as the *Ulfilas Bible* to the University of Upsala) cannot satisfy the many and varied utilities which a library is called upon to serve. In proportion to the area to be covered—say thirteen million books since the invention of printing—

and a vast array and diversity of need and inquiry—the funds of any one research library must always be inadequate; and sums which would have sufficed sixty years ago are at present helpless against the general competition, the competition of individuals having "specialties," and the extraordinary rise in prices. Fortunate those libraries abroad, such as the British Museum and the Bibliothèque Nationale, which began their accumulations in easier times, and had for their foundation and constant increment, the gift of inestimable collections already amassed by lavish price or public spirited citizen.

I doubt, however, if there is any library today which, out of public or trust funds, is spending great sums in the present competition. And if we consider the particular library of which I have present intimate knowledge, the futility of even entering the competition must be apparent. And yet it is the library which is to stand for our "National Library;" and which, therefore, according to all convention, should be possessed of the material of "distinction," as well as the material of practical utility.

When moved from the Capitol to its new building the Library of Congress contained some 800,000 printed books and pamphlets. But all save 20,000 of these had been accumulated since 1852; and those bought represented purchasing funds which never exceeded \$5,000 a year. Two special acquisitions—of the Force and the De Rochambeau collections—due to special grants—did indeed bring Americana—both printed and manuscript—of signal importance within their special fields; but the bulk of the material purchased consisted of the more ordinary books and editions procurable at auction on frugal bids. Copyright deposits, government documents and the society publications received through the Smithsonian, made up the rest. The beginning of the Twentieth Century, therefore, found it deficient in every department of serious literature. Its funds for purchase (annual appropriations) did indeed increase until of late they have reached \$100,000 a year. A substantial amount for the literature *whose interest is in its content*, this would, however, be entirely inadequate to compete also for the "rarities" which are the prizes of private collectors. A choice, therefore, had to be made: should the Library seek "distinction" by the purchase of a few of these, or a broad utility by applying its resources broadly over the literature val-

uable to research from its content? All precedent abroad and of the past favored the former alternative; the disposition of our people and of the present, favored the latter.

And it is the latter which has prevailed: on the theory that, as between the two the prime duty would be to the material that would develop at our National Capital a comprehensive collection, responsive to the needs not merely of the Government, but of scholarship generally; and upon this to develop also a service (not attempted abroad) that would be truly national.

Such a service includes that which the library may, and has begun to, render, as a sort of bureau of information upon bibliographic matters, and also as a central cataloguing bureau—making available in multiple form the products of its expert work in both cataloguing and classification; and this implies not merely the most nearly complete procurable collection of books about books, and of guides to the location of the unusual books, but also the fullest possible representation of the more ordinary books found in many libraries; since a catalogue entry prepared for any one of the latter and made generally available, saves to the country as a whole many times the expense of the acquisition of the book itself by the Government. But a collection for the investigator must include also many a document not procurable in printed form and of which the original rests, and must continue, in some repository abroad. The project of acquisition includes therefore many a reproduction of such documents, in transcript or facsimile. It may be a map, it may be a print, it may be a musical score, or it may be a written state paper: and the process conforms to the need. Already many such reproductions have been obtained, which may save the American investigator many a trip to Europe, or may direct his itinerary to the best advantage; and among these—besides numerous maps and scores—are over 150,000 folios of transcripts of documents in British libraries and Record Office, important to the student of American history, to which will be continually added others as the work proceeds and extends to the Continent also. Sums which applied to the purchase of an original, if procurable, would go but a short way, can thus be made to extend far, with the result of concentrating at Washington if not the original form, at

least the substance, of a great mass of material to which research must have recourse.

If this decision for the obviously "practical" was inevitable, it leaves still the question: Shall our National Library wholly lack those treasures of typography, and those manuscripts (source texts of literature and history, or exquisite examples of scribe and miniaturist) which are the distinction of the great national libraries abroad? Shall it have to continue in the mortifying confession that of the 25,000 incunabula known, it can show of its own less than 400 (as against 13,000 in the library at Munich), of the early presses only a few specimens, and of early manuscripts practically none? Shall it never be able to boast a Caxton, or a Bay Psalm Book, or the first issue of the press of Mexico, or autographic or first editions of the masters of English and American literature? Must it be content to limit its collection of original manuscripts to the papers of Americans of national repute which come to it chiefly by gift, and rest on mere facsimiles or copies of the original sources—even of American history—originating abroad?

The answer must rest with the private collectors who are acquiring such. If the time shall arrive when they shall regard the National Library as entitled to their consideration in the same way as does the Englishman the British Museum, the reply may be a confident negative: for in this case, what can not be suitably acquired with public moneys will come to it through the generous gift of individuals who, having had the joy of acquiring it, and the satisfaction of its long possession, will instead of then dispersing it, place it in the National keeping where it will render a national service, and also incidentally will form a permanent memorial of their taste and public spirit.





# Editorial

## OUR NATIONAL LIBRARY.

(*Baltimore Sun.*)

THE annual report of Herbert Putnam, Librarian of Congress, shows that the great collection of books in the magnificent building east of the Capitol is fast growing in size and value, despite the chronic disinclination of Congress to pay for any considerable additions to it. The number of volumes on the shelves is now nearly 1,900,000, which gives the library third place among the world's depositories of books, only the French Bibliotheque Nationale, with 2,600,000 volumes, and the British Museum, with 2,000,000, being ahead of it.

To maintain this huge collection costs nearly \$700,000 a year, but of that sum only \$100,000 is available for the purchase of books. The result is that the librarian must depend chiefly on donations for the filling of gaps upon his shelves. Old books, and particularly old books of the sort a national library should have, are very expensive. At the recent Hoe sale, for example, Mr. Putnam found such high prices ruling that he was unable to make a single purchase. There were plenty of books that he wanted—plenty that the library needed—but they were selling for from \$10,000 to \$40,000 apiece, and with but \$100,000 in his wallet and many demands on it he was forced to refrain from buying.

In the department of new books, of course, the library is more fortunate. By the terms of the copyright law two copies of every book, pamphlet, musical composition, print or map copyrighted in the United States must be sent to the Library of Congress. The accessions from this source are very large in number. Last year, for example, more than 20,000 new books were received. But the great majority of these were novels, gift books, volumes of bad poetry and other such ephemeral things. They should all be in the national library, true

enough, but they will be of little interest and no value until many years have come and gone.

If the library is ever to rival the great European collection, in quality as well as in mere quantity, Congress must be a bit more liberal. The old books in the world are far from innumerable. In the case of the really important editions every surviving copy is located, and the tendency of all of them is to gravitate toward the great public collections. Once a unique copy gets into the British Museum the Library of Congress has lost it forever. And that very thing is happening almost daily.

## THE REFORM OF LEGAL PROCEDURE.

BY MAX B. HARLIN.

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UNDER the title of "Imperative Law Reforms" an article appeared in the July, 1911, number of THE EDITORIAL REVIEW from the pen of Mr. Edward J. McDermott, of the Louisville bar. The distinguished writer refers to law reform in England, and suggests that such reform there makes it "plain that we ought to reform and must reform, by radical measures." He refers to the trial of Dr. Crippen as an example of English justice because the defendant was convicted after a trial which lasted only four and one-half days. He calls attention to the Whiteley case where the defendant was convicted after only five hours had been consumed in giving a trial, and that only eight precious minutes of British time had been lost in securing a jury to try the case. He says that, "in England criminals are neither coddled nor lionized," and calls the reader's attention to the fact that if a convicted person should have the arrogance to say that the trial court erred, and appealed his case, the Appellate Court is liable not only to affirm the judgment but to increase the penalty.

Conceding, for the sake of argument, that Crippen was guilty and deserved the death penalty, I want to say that if all the accounts of that trial, which I have read are true, I thank God that I neither live in the jurisdiction of that court nor have to practice law before it. May I ever be delivered from appearing as counsel for any man being tried in a court where the malignant hatred and feeling of the mob in the galleries is deflected from the face of the presiding judge so strongly as to blind the jurors in the box. In Kentucky men are not convicted by scowls from the face of the court nor significant remarks of the judge in the presence of the jury. In Kentucky the trial judge does not indicate by the tone of his voice and his manner, when



MAX B. HARLIN.

11-10-11

the defendant may have peremptorily challenged four or five of the jurors, that he had better stop such dilatory tactics. In our practice the court does not join hands with the prosecuting attorney to secure a conviction, and the reason is, that our judges recognize that a fair and impartial trial of any man charged with crime is the most sacred heritage that can be preserved to the American people.

Speed is not the only thing to be desired in criminal procedure. Under our law this is only one of the three great requirements. The defendant is entitled to a fair, impartial and speedy trial, and when the prosecution or the defendant is deprived of this the trial is a farce and a "hippodrome" which only brings the courts into disrespect and makes the people disregard the law. The Crippen trial is an example of needed law reforms in England only, and in my judgment it is not an example which can be pointed to by her with pride. I maintain that in so far as fairness and impartiality is concerned it was a miserable farce, but in considering its speed, I submit that for rashness and rapid action it can not be excelled, except by the men who conceal their features with masks and burnt cork in order to wreak vengeance upon some person charged with crime, without a trial of any kind by a jury of impartial men.

Mr. McDermott in his article, as an illustration of the court's delays, cites an isolated case of an old woman who died just as she was about to receive an estate valued at \$75,000, after her case had been in court for many weary years. To my mind this does not prove that the delay was occasioned by the courts nor on account of faulty procedure. It might have been the fault of her lawyer. It might have been her own fault, and to say the least, if it took several years to get the matter in proper shape for the court of last resort to pass upon it intelligently, and render an opinion justified by the law and under which the old lady was given judgment, it was better than for the matter to have been disposed of without due legal course, for she might have lost her case entirely. To be sure some lawyers give more attention to technical quibbles than to the merits of the case, but this class of lawyers is fast being relegated to the rear in our profession, and in order for technicalities to be considered they must be of a substantial character.

The writer names five "greatest hindrances to justice in our criminal courts." As to the first—unpunished perjury, loss of

witnesses by delay and corrupt dispersal of witnesses—how would he remedy any of these evils? Would he effect one by legislation? I think not, because our statutes cover every phase of perjury. The law is ample in every respect to reach any man who disperses or attempts to disperse witnesses, and as far as delay is concerned we have at least three terms of court during the year in every county of this state for the trial of criminal causes, and my observation from sixteen years' constant practice has proved to me that unnecessary delays are rare exceptions. In so far as any delay by reason of appeals is concerned I beg to call attention to the fact that under our procedure criminal causes stand first for hearing on the docket of the Appellate Court, and if any criminal appeal is filed after the beginning of the term it is taken up at the end of ten days. When the appeal is taken the trial court can only suspend the judgment for sixty days in order for the transcript of the record to be made to present to our Court of Appeals. This does not occur to me as much ground for reform so far as delay is concerned.

Another of the "greatest hindrances" is the refusal of courts to compel a defendant to produce documents or other physical things that may make his guilt clear. How will he remedy this trouble? Would he take away every protection given the accused by virtue of our bill of rights? Will he nullify the plain provisions of our Constitution?

Suppose a man is being tried on a charge of murder and the prosecuting counsel has failed to establish the *corpus delicti*, but he believes that the accused, after the murder, secreted the body. What is to be done? Bring the accused around and have him disclose to the court and jury where the body might be found? Or, better still, have him go in custody of the sheriff to bring the body into court? But suppose he refuses to be so obliging. Suppose he declines to tell anything that will incriminate himself? What is to be done? There is but one way to proceed if the prisoner should refuse, and that is for the court to lay aside the judicial ermine and convert itself into a second Torquemada; then have the thumb screws and the rack brought in and the Spanish inquisition will again be in full blast! Without that protection given us, whereby we can not be compelled to testify against ourselves, our criminal procedure would be farcical.

As to the hindrance mentioned, "The abuse of expert testimony," I admit that this has been very much abused, but I know of no way to remedy it. There are any number of cases being tried daily where it is absolutely necessary to have expert testimony—both in the civil and criminal trials, and because some who have posed as experts have proven to be ignoramuses or perjurers, or both, is no reason why the Bar should rise up and condemn all experts. No expert ever testified to an untruth that it could not have been discerned by the counsel in the case if they had taken the pains to investigate the subject. I maintain that the practice of paying exorbitant contingent fees to experts, either to make out a case or sustain a defense, should be condemned in unmeasured terms, and lawyers who engage in such pernicious practices should be disbarred. When this is done it will have a very salutary effect.

Upon the fourth hindrance, "Reversals in Appellate Courts on the ground of petty technical errors in mere procedure," I wish to call attention to the fact that under our Criminal Code no reversal shall be had unless the error affects the substantial rights of the accused, and I will state without fear of contradiction that an examination of the opinions of the Court of Appeals of Kentucky for the past five years will show that this provision of our Criminal Code is strictly adhered to, and the active practicing lawyers over the State have found that it is useless to appeal criminal cases unless there is a substantial error, and the result is that there is a very small per cent. of the criminal cases ever taken to our Court of Appeals.

As to the fifth proposition, that maudlin sentiment for the accused and failure of the court and jury to punish is largely responsible, I beg to say that I have not found it so in my experience. I think there has been very little sympathy displayed for any criminal being tried in this State. Of course all persons charged with a serious crime have some close friends who evince their friendliness for him, whether he is guilty or innocent, but I have never observed any undue sentiment for the criminal, except in a few isolated cases, and I know of no legal reforms which could reach it.

Mr. McDermott then deals with insanity and the "Unwritten Law."

There is no such thing known or recognized in Kentucky procedure as the "Unwritten Law," which applies to any par-



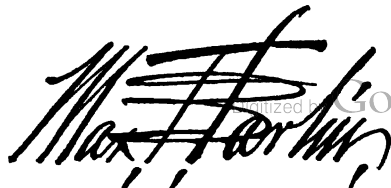
ticular class of homicides, but the law of emotional insanity is recognized by our courts as it is by the courts of every other state in the Union, and it is immaterial whether the same is produced by one cause or another. The suggestion that if the defense is insanity it should be plead specifically for the reason that the prosecution would not be taken by surprise should not be adopted for in every instance the prosecuting attorneys are always prepared and in nearly every case have a well defined general idea of the defense to be used.

Referring to his suggestion that there should be a law passed which should require the jury to state in its verdict whether or not it acquitted the defendant on the ground of insanity, this has been the law in Kentucky for many years, and the courts in trying criminal cases in this state follow this provision of the Code strictly. The section of the Criminal Code to which I refer is 268, and it is made mandatory on the judge who tries the case to instruct the jury that if they shall return a verdict of not guilty upon the ground of insanity they must so state in their verdict.

I have an abiding faith in the integrity and intelligence of our courts and the honesty of our juries. I also believe that our laws are ample to punish every wrongdoer and redress every injury done.

At this time there are cries going up from all sides calling for reforms, many of them radical and a few of them conservative. Indeed, some of the reforms demanded within the past year or so have been so extremely radical that if the legislative bodies throughout this country had listened and granted these appeals nothing short of actual revolution would have been produced. Some of them have been advocated by the profession, while a great many have come from the laymen who have become aroused on account of the results of some criminal trial that did not come up to the standard which they might have had in their mind in the particular case, when in most instances judgment had been formed from highly colored newspaper reports with reference to some sensational testimony and without any regard for the well-established rules of court procedure which must apply in all cases alike.

Still other cries of reform have come from politicians, who care not for results provided they can further their interests by cries for reform, which they think will meet the approval of the masses.



Max Baer

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## THERE IS NEED OF REFORM.

(*Iowa Daily Nonpareil.*)

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THAT there is need of reform in court procedure in this country is generally admitted. And the reform should come from the courts and the lawyers themselves. The McNamara case in California furnishes an example. The Hyde case in Missouri is another. These things could not happen in England. The courts in the mother country are supreme and they retain their prerogatives. Here it is more a question of lawyers. With reference to the Hyde case the *Kansas City Star* comments as follows:

A State's attorney in the Hyde case complained with some bitterness that the Supreme Court of Missouri had not read the record of the first trial. If the statement was true, was the court to blame? Or was the responsibility with the lawyers who conducted the case and who spun it out to the extent of 2,000,000 words, contained in 5,000 pages of closely typed legal cap pages?

Are the multifold objections, exceptions, arguments, quarrels, repetitions of testimony, etc., a help to the Appellate Court in getting at the merits of the case? Could a judge on appeal be reasonably expected to plod word for word through all the weariness of a stenographic report of what takes place in a criminal trial as contentiously contested as the Hyde case was?

Now, it is not necessary to blame the lawyers in any given case. They are following the professional ethic of doing everything they can do for their clients. It is the system of criminal court procedure which is at fault. An English Appellate judge reads simply a brief abstract of what takes place at the jury trial. He reviews only the major points of vital interest. And the trial judge is vested with powers which our system takes from him. The American procedure makes the lawyers the big figures in the case.

In this case one of "the learned prosecutors" protests that the Supreme Court did not read the record. It makes one think of that honorable and reverend phrase: "hoist by his own petard."

As the *Star* points out, the fault lies in the system more than it does with the lawyers. Ideally speaking, the mission of the

lawyer is only to see that his client receives justice. But custom has changed this conception. The lawyer is employed to see that his client gets justice if justice is on his side and to defeat justice if it is on the other side. The American system places too much emphasis on the lawyer. We could adopt some features of the English system with great benefit to all concerned.





ROBERT GRAU.

## MEN OF FINANCE IN THE FIELD OF MUSIC AND DRAMA.

BY ROBERT GRAU.

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IF any one had ventured to suggest thirty years ago that our foremost men of finance—in fact, our multimillionaires—would be found conspicuously figuring in the conduct of the country's leading opera houses and theatres, he would have been an object of ridicule, for at that period Opera was so precarious an undertaking that the Sheriff was frequently an active factor, and it is recalled that the millionaires of that day were unwilling to contribute towards the expenses of operatic endeavor.

All of the impresarios of the '70's and '80's died penniless, and the first American to die leaving enough for his funeral expenses was Maurice Grau, and the penalty he paid was the sacrifice of health. The same may be said of Herr Henrich Conried, who was able to stand the strain for three years only. Oscar Hammerstein has, for some reason, been immune from the fate of his predecessors, but he has been known to express himself as weary of it all, and there are those who say that had he conducted the Manhattan Opera House for another year under the conditions prevailing there, his health and fortune would have been annihilated, and even the gold laden Victoria Theatre, which was the source of supply by which the deficit at the Manhattan Opera House were liquidated, would have passed into other hands.

In England the late Sir Augustus Harris was a highly successful impresario, making Grand Opera at Convent Garden pay large dividends, and this at a time when he had Drury Lane and other theatrical enterprises in full operation. Most of his predecessors had made failures in Grand Opera.

The day of the impresario, however, is of the past—we are now in the era of "The Thirty Thousand Dollar A Year Direc-

tor," for in the four Grand Opera Houses, in New York, Boston, Philadelphia, and Chicago, the entire risk financially has been shouldered by men of great wealth, who have entered this field and have eliminated the impresario for all time.

In New York Otto H. Kahn has been the predominating factor, and it should be stated that he has shown much public spirit. It is due to his energy and perseverance that Grand Opera has been placed upon the dignified basis which now characterizes the *regimé* at the Metropolitan Opera House. Mr. Kahn, in conjunction with a half dozen of his colleagues, is responsible not only for the great enterprise at Broadway and 40th street, but also for The New Theatre.

These gentlemen, who have made their great fortunes in the financial and industrial world, by reducing everything to figures, decided the Grand Opera problem in the manner which obtains nowadays—by eliminating competition. Thus it was that the operations of the most worthy impresario of his day, Oscar Hammerstein, were ended for all time, so far as this country is concerned, in the distinctly Grand Opera field.

In Boston Mr. Eben D. Jordan is the one to provide the Hub not only with a modern Opera House, but his conduct of the same has been such that despite the tremendous expense, the first season was terminated without loss, while by reason of a community of interest procedure which exists between the Boston enterprise and the Metropolitan Opera House directors, it is expected that the present season will show a profit, though the modern idea is not to permit of any surplus, and, in any case, the funds remaining at the end of a successful year would be invested in betterments.

In Philadelphia the problem has been a difficult one—Mr. Hammerstein gave the Quaker City a beautiful million dollar Opera House, which for two years he maintained without the least aid, but at the close of the last opera season he found his position almost untenable. He threatened that unless aid were forthcoming, he would lease the Opera House to the Theatrical Syndicate, claiming that he had stood losses of several hundred thousand dollars, and that he could go no farther. At this point Mr. Edwin T. Stotesbury came forward, and agreed to meet the weekly deficit from that time on. This deficit amounted at the close of the season 1909-1910 to \$40,000.

Mr. Stotesbury and Mr. Kahn conferred, with the result that the former bought the Philadelphia Opera House outright from Mr. Hammerstein, and is now solely responsible for its future maintenance. Mr. Stotesbury's contribution is larger than the European Opera Subsidy.

In Chicago a number of gentlemen, headed by Mr. John C. Schaffer, secured the Chicago Auditorium and the past season, ended last month, has been a very successful one, with Grand Opera presented on almost a prodigious scale, with the principal singers of four Opera Houses available to Herr Dippel, who is the salaried impresario in charge there.

The writer makes no claim to prophetic power, but it is not a far-fetched prediction to presume that within five years Opera Houses, such as are now existing in the opera centres named, will be found in all cities with a population of 500,000 or more, and that these will be conducted by local interests, probably with some understanding or arrangement with the existing directors of enterprises in that field.

The financing of Grand Opera, however, is not monopolized by men in the financial world. The Shubert enterprises which constitute fifteen theatres in the Metropolis, besides the Hippodrome, the Winter Garden, and sixty or more theatres outside of New York, and two score important attractions are largely controlled by Messrs. George B. Cox and Joseph L. Rhinock, both of Cincinnati, where they stand high in financial and political circles.

The New Theatre was maintained by practically the same interests as those in control of the Metropolitan Opera House, and it may be stated that this ennobling enterprise is far from being abandoned.

The losses at the New Theatre will be in a large measure offset by the profits of the successful production, "The Blue Bird," which was crowded out of the Central Park West establishment by The New Theatre's policy of tabooing long runs. In due time these successes will multiply. Boston will want its "New Theatre," and perhaps Chicago and Philadelphia will not wish to be regarded as of secondary importance in the musical world, and then what is to happen?

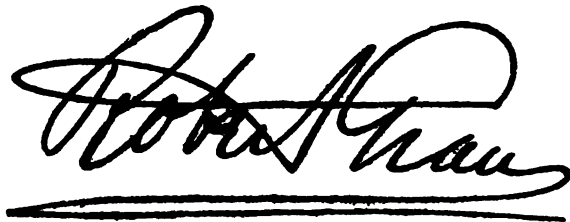
It is too much to presume that with four Opera Houses in as many cities, under the control of practically one body of men, who also are responsible for the leading dramatic establish-



ments, the day is not far off when the entire amusement calling will be amalgamated into what may yet be known as "The United Amusement Company."

We may not have a great while to wait, too, before the problems of music and the drama will be solved in Wall Street through stock and bond operations. It is not so very long ago that few of the managers in this field had reached the dignity of possessing an office wherein to conduct their business affairs.

That the theatrical profession should have reached the point where control of its resources is sought by men of high financial standing, such as are now openly identified with both musical and dramatic enterprises, gives a sufficient assurance of a new future in the theatrical field.

A large, stylized handwritten signature, likely "Robert A. Grau", is centered on the page. The signature is written in a cursive, flowing style with a prominent horizontal line underneath it.

# Editorial

## THE NEW THEATRE.

(*New York Times.*)

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IF we are to take as final the formal announcement of the Founders of the New Theatre that the high enterprise in which they embarked three years or more ago is to be abandoned the community deserves condolence. If they thus weakly give over a plan not to "elevate," indeed, but to conserve the acted drama and the histrions' art, undertaken in a spirit of civic pride and, as Senator Root remarked at the dedication, "with comparative independence of the Sheriff," they will set a bad example to all theatre managers, justify the assertions of New York's intellectual backwardness, and indicate that their own interest, from the beginning, was only half-hearted. The only reason officially given for the abandonment is the exceedingly vague one that it "would not be wise to proceed with the enterprise at the present time." To elucidate this one needs a definition of the kind of wisdom that dominates such an enterprise. Surely there is as much wisdom, in both the commercial and artistic view, in going ahead now as there was in starting.

Unofficially, however, three several reasons are put forward. The first is that the Founders have already sunk a great deal of money in the New Theatre. But they are all successful men of affairs who know well that money must be lost in starting any new enterprise. The second is that no competent director could be obtained. This would not be the case if the Founders were willing to bestow absolute authority on the Director and refrain personally from meddling with the details of management. The third is that the Founders are tired of hostile and facetious criticism. We can scarcely believe that men of their experience and standing can be moved by that consideration. If the hostile criticism was just (as it surely was in relation to some of The New Theatre's productions) it should have been

regarded as valuable. If it was unjust and ill-tempered it was not worth considering.

Senator Root's words of encouragement and hope, when the theatre was opened, are well remembered. He declared that any persons who regarded it "as a mere extension of opportunity for fashionable amusement" were mistaken. Yet it must be inferred now that it was nothing more than a temporary extension of fashionable amusement of which fashionable people have grown tired. If the noble plan falls now the reports will go abroad that the "new rich" of New York dabbled a while with an artistic experiment and then dropped it like a hot potato. It will, in that case, be a long while before anybody in this neighborhood endeavors, to quote Mr. Root again, "to make it possible to preserve what is best in drama by making it possible to present what is best upon the stage even though the demands of profit and the requirements of profit be ignored."

Nobody familiar with theatrical history believed that the best way to improve the art of acting and dramatic literature in this country was to begin by building a splendid playhouse. But it was one way, the one which obviously lay most clearly open to the Founders, and, on the whole, the two experimental terms turned out much better than might have been expected. There were many large audiences. Three out of a dozen plays or so were pecuniarily successful, and that is a fair proportion as theatricals go. Obvious errors were made which experience would have corrected. Money was lost, but there is plenty more where it came from, and with persistence that which was lost might be reclaimed.

When the institution was dedicated it was formally presented to the people, a gift to the city from generous and high-minded citizens. It seems now that the gift was attached to a string. But we strongly hope that the Founders will reconsider their idea of abandoning the enterprise. There is room for it, there is need for it. If they start anew they will do well to keep clear of all entanglements with the commercial theatre, to invest their Director with sole authority, and let him go forward. If they can not speedily develop a dramatic literature, they can at least establish a school of acting, and reawaken the public comprehension of histrionism.

OUR NATIONAL PROBLEMS—  
THE APPLICATION OF A CONSTITUTIONAL AND  
SCIENTIFIC SOLUTION.

PART II.  
BY EDWARD STERN.

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IN "The Outlook" of December 30th, 1911, at the termination of his article advocating the enactment of the Aldrich Monetary and Banking bill, Edwin R. A. Seligman, LL.D., McVickar Professor of Political Economy at Columbia University, stated "The projected revolution in financial methods is a beneficent one. We have groped long enough in the dark regions of finance; it is now high time to emerge into the light."

Professor Seligman, than whom there is not higher economic authority, admits that the projected changes in financial methods are of a revolutionary character, claiming, however, that they will prove beneficent; but he fails to logically substantiate his claim that through the enactment of the revolutionary Aldrich monetary measure our Nation will pass from "the dark regions of finance."

Every sincere citizen will agree with Professor Seligman that "it is now high time to emerge into the light," but how can the domain of political economy, denominated of old The Dismal Science, become irradiated with light, unless we first specifically define exactly what is meant by upright, just, righteous and therefore impartial land, money and transportation systems?

Professor Seligman and substantially all other learned economists will doubtless agree that it is the function of human government to justly regulate the basic economic factors. They should therefore proceed to carefully test out every detail of my discovery, elucidated in THE EDITORIAL REVIEW for Feb-

ruary, that there exists a scientific and therefore specific natural test of the uprightness of the structure of human economic government.

In proceeding to formulate a specific monetary and transportation plan based upon the rational utilization of nature's test of *access upon a basis of equality*, the only revolutionary proposal which I will make is that our National government should purchase all inter-state railroads. Every intelligent observer is conscious of the fact that with the process of consolidation which has been going on for years, the final consolidation will soon occur; the only question is whether it is to be under the control of selfish cliques of Wall Street bankers, or through impartial governmental régime.

In his able article in "The Outlook," Professor Seligman makes the following frank admission concerning our most prominent bankers—"Accordingly in times of stress these banks have attempted to unite their reserves through the Clearing House Associations and to extend facilities and issue notes in an extra-legal, and even, perhaps, illegal manner."

Charles W. Morse recently released from the penitentiary by President Taft, was sentenced to a long term of imprisonment because he was found guilty of conducting banking operations "in an extra-legal and even, perhaps, illegal manner." Our Nation faces a grave crisis, but surely we should resolutely refuse to accord additional powers to the great bankers, who, Professor Seligman candidly admits, have not scrupled in times of stress to act in an illegal manner.

In reality the interests of the great majority of the bankers throughout our Nation will not be promoted by adding to the power of the Wall Street group. Legitimate banking can prosper only when legitimate commerce flourishes.

"A half truth is more dangerous than an utter falsehood." Likewise with a statement which is but two-thirds true. It has long been erroneously stated that supply and demand regulate prices. In reality a trinity of economic factors control the general price level of the great staple commodities. These factors are supply of and demand for the various commodities, and the volume of money and of bank credits serving the monetary function.

I challenge economists, statesmen, business men and bankers to deny the accuracy of the foregoing explicit statement con-

cerning the trinity of economic factors, which positively regulate the general price level. Whoever heard of a panic unaccompanied by falling prices? Falling prices and panic are in reality synonymous terms. Rising prices benefit the scheming few. Stability in the general purchasing power of the dollar means ever increasing wealth production, wherein the great mass of workers and all straightforward business men, manufacturers, and legitimate bankers are vitally interested.

Our National government should take possession of all interstate railroads (not trolley lines) in the country. All railroad securities of every character would at once become United States government bonds, not at their face value but at the Wall Street quotations of, say, May 1st, 1912, or other suitable date. These government railroad bonds will bear a moderate rate of interest, such as three per cent., and the principal of each bond will be subject to evolutionary payments at the option of our government.

As full legal tender paper money is issued in evolutionary payments upon all outstanding governmental railroad bonds, all banks and bankers, national, State and private, will be compelled under very severe penalties to evolutionarily increase their cash reserves, held in their own vaults.

We should soon learn exactly what percentage of increase in cash banking reserves would counterbalance a uniform evolutionary payment of a certain percentage upon all outstanding governmental railroad bonds. So long as our new governmental railroad bonds are not entirely liquidated and our banking system is not brought to an absolutely cash basis, we possess positive control over monetary factors which will enable us to very closely regulate the stability of the purchasing power of our American dollars.

If the general price level tends to fall, it can be checked by a small issue of money paid on account of all national railroad securities, this unaccompanied by any contraction of bankers' credits.

If the price level of the general range of staple commodities tends to rise, the tendency can be checked by merely compelling a small increase in the cash reserves of all banks and bankers.

Money which is unstable in purchasing power is dishonest money, though it all be made of gold. Regardless of what money is made of, if its volume is so judiciously regulated that its purchasing power is steadily maintained, it is honest money and will powerfully aid in striking the shackles of economic bondage from the

toilers and service renderers. Our governmentally owned system of interstate railroads should be leased for a term of years to an operating corporation; all profit over a certain amount to be carefully expended in betterments to the railroads, which are our national highways.

Governmental operation of railroads is not an economic panacea. It should be carefully avoided until such time as all holders of public offices come to zealously apply their mental and physical faculties in loyal and unswerving service to the general public. My only purpose in advocating governmental ownership of our inter-state railroads is that through the nationalization of their securities, our government will have absolute control of economic factors, which will enable it to ever maintain stability in the general purchasing power of all American dollars.

As soon as it is established that the producers and holders of staple commodities will ever be enabled to secure access to dollars upon a basis of equality with those holding valid instruments calling for a fixed number of dollars, the entire sphere of wealth creation, and distribution, and of true service-rendering will be most beneficently revolutionized. This affluent and humane transfiguration will ever rise to nobler heights so long as stability in the general purchasing power of our dollars is steadily maintained.

Through marvelous inventions and discoveries, the human race today possesses labor-saving machines and improved processes, which enable the ever more rapid multiplication of all forms of useful wealth.

The advantages of these multitudinous discoveries, which should be shared by the entire community, are at present controlled and substantially monopolized by the crafty few, who manipulate our speculative land, money and transportation systems; and many thousands of millions of dollars of their stocks and bonds represent not capital actually invested, but water skillfully and most copiously injected. The intelligence and brawn of our nation are virtually enslaved, hypnotized, and indirectly but none the less positively compelled to labor in order to pay interests and dividends to the selfish, grasping cliques, who dominate, control and are ever seeking to mislead Americans into thinking that the more interest and dividends the community pays to trust magnates, the more prosperous we Americans become.

Our trust magnates in ever-increasing numbers are openly advocating that Congress enact legislation establishing a national price-regulating commission, to fix the prices at which the vast output of trust industries be sold.

If you desire to perpetuate present conditions and to strangle true competition and to ordain that regular payments of interest and dividends be made upon many billions of dollars of watered stocks and bonds—fall in line and agree with the price-regulating views of our benevolent trust magnates. But if you desire to inaugurate a nobler era of true competition, based upon the universal use of the most improved processes and machineries, with the ever-increasing volume of economic wealth more and more equitably divided amongst our mental and physical toilers and service-renderers, then stand for a national monetary commission, endowed with positive authority to regulate the general stability of the purchasing power of our American dollars; and specifically ordain that every American dollar must ever be legally endowed with exactly the same monetary privileges, viz.: Every American dollar in circulation shall be made of uniform material, and be a full legal tender for all debts, public and private, and ever be *receivable* in payment of all taxes, whether national, state or municipal.

Henry Carey, the great American economist, properly defined money as the instrument of human association. The gold standard lends itself to the association and enrichment of a few dominating bankers and those affiliated with their schemes; which heretofore and at present are financially successful, owing to the power of the bankers to manipulate our monetary and industrial systems through their control and unprincipled use of the all-powerful weapon of bank credits.

Speculation in land, money and railroads is simply legalized speculation upon a gigantic scale. The vast majority of the great fortunes which have been amassed during the past fifty years are the ill-gotten fruits of underhanded speculation, and of unfair, and often of illegal manipulations.

Which is of greater importance—dividends upon and additions to already abnormally swollen and wrongfully accumulated fortunes; or real prosperity and genuine well-being amongst the myriad toilers, business men and real service renderers of America and of the entire world?

If you favor the former, rest content with present control by



banking and railroad cliques; and aid them to enact the additional legislation which they desire. If you stand for a new era of economic, political and judicial regeneration, then turn to God (nature) for test of the uprightness of the economic structure of our government and truly use the priceless elemental knowledge received.

Simple as is the natural test elucidated in the February issue of *THE EDITORIAL REVIEW* and the one economic plan which I herein briefly outline, they will positively enable immediate and most judicious control and rectification of the existing abnormal industrial and financial conditions. They will not at once divide up the accumulated vast plunderings, commonly denominated fortunes, which have almost invariably been built upon misfortunes to and grievous oppressions of the many; but they will immediately put a stop to further plunderings, and will positively prevent future malicious dislocations of industry and of business.

Actual coöperative ownership and operation of all staple industries will be facilitated. Speculative control is the deadliest foe to true coöperative enterprises. Upright government ever nurtures the well-being of the masses. Speculative control enriches the classes and impoverishes the masses.

Under the system outlined, a greater and greater volume of money in circulation would simply positively indicate that there existed in our nation a greater and greater supply of unconsumed raw materials and of staple manufactured commodities; and that the money which could buy these goods was widely distributed amongst the people of all sections.

This one plan will speedily enable our nation to own our railroads, and to pay for them without either taxing the people or permanently incurring bonded indebtedness.

A singular condition exists in our own and other nations. The voters are turning to socialism, not that they understand it, but because they despair of securing relief from their present intolerable conditions through the old-time political parties.

Neither in our own nation nor in any other has socialism ever achieved the successful operation of a single industrial plant of any magnitude. If the economic distresses of the masses of world-wide humanity are to be relieved, it demands the successful operation of multitudinous agricultural, mining, chemical and industrial plants; for economic wealth can be created only by disciplined

labor which is intelligently directed and industriously applied.

The socialistic leaders craftily conceal these vital facts from their voters, whilst inculcating class hatred and professing complete knowledge of economic government and of industrial administration along the most profoundly scientific lines.

I admit that there are many members of the capitalistic class whose conduct, past and present, is open to the severest censure. I also know that there are noble-minded members of the capitalistic class. In short the capitalistic class, viewed from the moral and ethical standpoint, is exactly the same as the working class, from whose loins it sprang and from whose ranks it is ever being recruited.

The socialists demand that our government, which is not faithful over the few things already entrusted to its care, must be given absolute control of substantially all wealth creation and of its distribution.

My proposition is that our government should justly regulate the trinity of elementary economic factors,—land, money and transportation. The scientific, common sense regulation of these basic factors does not involve manufacture at all; but it immediately enables all mental and physical toilers to labor with greater and greater compensation, and under ever nobler and truer conditions.

Where, in the voluminous writings of Karl Marx or in other socialistic works is the natural test of the uprightness of human economic government considered and elucidated? Why should not the leaders of Socialism, of Progressive Republicanism, of advanced Democracy, thoughtfully weigh, consider and record their perceptions regarding the specific elemental developments herein set forth? Surely they will one and all admit the profound gravity of the conditions confronting the voters of our own and of substantially all other nations.

There are other questions to be adjusted. The tariff should be facturers, but substantially all duties should be removed from facturers, but substantially all duties should be removed from Trust products.

Our patent-right system, originally designed to serve the public and to secure the judicious compensation of inventors and discoverers, has largely been perverted from its laudable purposes.

The land question must also be directly legislated upon and the vicious element of speculation entirely removed.

With the constitutional regulation of the Supreme Court achieved, we can immediately enact a progressive income and inheritance tax, as a means to secure national revenue and judiciously to prune the vast incomes of the inordinately wealthy.

It is not necessary to destroy capital or capitalists, but those who claim title to capital must at once and forever cease arrogating unto themselves the political power to control and to thus pervert our economic legislation.

The impression has long been skillfully fostered that our national constitution confers substantially equal rights and powers upon the three departments of our government, the legislative, the executive and the judicial. In reality the overwhelming bulk of power is most properly entrusted, by its explicit provisions, to the elected representatives of the people assembled in Congress.

To a very considerable extent the vast direct and indirect powers at present exercised by the judicial and executive branches of our national government, are either positively unconstitutional, or they are of such character as could be desirably modified, or entirely abrogated by bills passed by Congress.

In the struggle over the unconstitutional usurpations of power by our national judiciary, the rallying cry of the people will be *Back to the Constitution*. Nationally the issue can be immediately and forever solved by one law passed by Congress and approved by our President, or passed over his veto.

The same sane, conserving practical and effective system can be utilized to properly curb the powers of the State courts. Any state can amend its constitution so that the constitutionality of all laws enacted shall not be questioned by the courts of that State, unless action be instituted at the request of the majority of the citizens of one county; that is, our States can model their future constitutions upon the explicit provisions of our present national constitution.

"The history of nations," wrote William E. Gladstone in 1876, "is a melancholy chapter; that is, the history of governments is one of the most immoral parts of human history." These most deplorable governmental conditions will continue until we reject politicians and turn to rational and aspiring discussion. Non-partisan Good Government Clubs should be organized throughout our country. Statesmen of all parties and

advocates of all reforms should be invited to address these non-partisan gatherings and to answer all rational questions from the audiences. Attention should be riveted upon the specific elucidation of what is meant by upright economic government, for not until we come into accord upon this essential definition, are we in position to go forward and judiciously plan practical and effective remedial laws.

Significant corroboration of my proposal that each banking institution in our nation should be compelled to carry its entire cash reserves in its own vaults is found in the statement recently issued by Andrew Carnegie that "Our national bank law is responsible for the huge concentration of the country's money in New York. \* \* \* Isn't this a bad way of doing things? There isn't another country in the world that legally provides for such a concentration of money in one hoard to be used by speculators. We can't check the money trust until we stop this pouring of money into Wall Street for speculation. \* \* \* This is one reason why I believe the most vital question before the people today is banking and currency reform. We must stop the piling up of money in New York for speculative use, and we must enlarge the market for the use of loanable funds to promote agriculture, industry and commerce. \* \* \* Congressional investigation of the money trust will show that we have a dangerous banking system that concentrates funds in Wall Street and breeds panics, and this investigation will be an unanswerable argument for banking and currency reforms."

Whilst giving due weight to the foregoing most significant admissions of Mr. Carnegie, we should be very slow to follow his lead and join the deceptive National Citizens League, which is in reality subtly campaigning for the Aldrich Central Bank scheme, favored by the leading Wall Street bankers, of whose past methods Andrew Carnegie very properly warns us to beware.

If the projected Congressional investigation suggested by Mr. Carnegie and many others is to ultimate in aught of real benefit to our myriad wealth producers and service renderers, the very first essential question to which positively specific answer must be made is—WHAT IS HONEST MONEY? In this article I demonstrate that the unchanging answer of natural justice to this question is—MONEY WHICH IS EVER STABLE IN ITS GENERAL PURCHASING POWER.

Can Andrew Carnegie and other intelligent students of busi-

ness and of economic government show a flaw in the natural test which I have elucidated, or can they object to the safe, sane plan of our banks carrying larger cash reserves in their own vaults?

At the Lehigh Club banquet on February 10th, E. H. Gary, chairman of the Steel Trust, addressed the banqueters in a most unusual manner, using words which should at once incite each patriotic American citizen to immediately discard old-time partisanships and to organize for the non-partisan consideration of the great problems of economic government, which so insistently press for immediate solution. Mr. Gary's surprising words were—"I tell you, gentlemen, that there are things being said nowadays which are very similar indeed to things said just before the French Revolution. I tell you that the spark may yet make a flame, and that soon. I have an especial reason for saying this, a reason that affects you and me. Unless capitalists, corporations, rich men, powerful men, themselves take a leading part in trying to improve the conditions of humanity, great changes will come, and they will come mighty quickly, and the mob will bring them."

Why should Mr. Gary and other "capitalists, corporations, rich men, powerful men," hesitate longer to specifically define exactly what is meant by upright, just, righteous, and therefore impartial land, money and transportation systems?

Man or men, political party or parties are not going to save humanity in this grave crisis. Rational, effective, constitutional laws based upon DIVINE PRINCIPLE will alone suffice, and these laws must be evolved, enacted and supported by citizens who are individually regenerated through the consciousness of righteous action.

The constitutional and immediately effective method of properly curbing the power of our national judiciary is far preferable to the unconstitutional and most injudicious system of the recall of the judges, which is now being advocated.

To the many earnest citizens who are seeking to enact initiative and referendum amendments to our State and National constitutions, I would point out that they overlook the very pertinent fact that under our present representative system of government, our citizens can directly initiate laws and positively insist that their elected representatives enact the specific laws which are desired by the majority of our voters.

American voters have for many years specifically instructed their presidential electors, and the presidential electors who are thus selected invariably vote as they are instructed, though by the strict letter of our national constitution, each elector is free to vote for whomsoever his judgment dictates.

It is unquestioned therefore that nationally American voters do already specifically instruct their elected representatives, and furthermore that such specifically instructed representatives are invariably true to the trust reposed in them by the voters and never deviate from their specific instructions.

The few words *access upon a basis of equality*, which define the natural ultimate of the universal principle of justice, when properly interpreted and applied to the human economic domain, enable the immediate solution of the economic enigma. Equal economic opportunity cannot be attained or maintained unless all human beings are equal in mental ability, physical strength and financial resources. Regardless of the most startling diversities amongst the individuals of the race, *access upon a basis of equality* to land, to money and to transportation can ever be maintained, and so long as it is maintained, involuntary idleness and inadequate compensation will never again scourge mankind.

The developments elucidated and substantiated in this article were foreshadowed by Thomas Carlyle when he wrote: "No revolution ever rises above the intellectual level of those who make it. Little is gained when one false scheme supplants another. We must some day, at last and forever cross the dividing line between nonsense and common sense. Upon that day we shall pass from class paternalism, originally founded upon fetich fiction in times of universal ignorance, to human brotherhood, in accordance with God's laws and our growing knowledge of them. From political government to industrial administration. From competition in individualism, to individualty in coöperation. From war and oppression in any form, to peace and general well-being."

All the wealth that has been created is but a small fraction of that which can now be readily brought into being, would we but abolish speculation in land, money and transportation, by inaugurating a just régime through maintaining *access upon a basis of equality* to those vitally important basic economic factors.


Is not "knowledge power" and will not "the truth make us free"? When mankind earnestly seeks after the truth, receives, cherishes and faithfully endeavors to judiciously utilize it, suffering amongst humanity will disappear like frost before a summer sun; for God is good, His mercy endureth for ever and His truth unto all generations.

It is time for Republicans who revere Lincoln, to heartily join with Democrats who truly honor Jefferson and Jackson, and drive the money changers out of the temple of our government.

If the problems which confront us are to be solved; if our nation is to go triumphantly forward as "the land of the free and the home of the brave," we must cut loose from debasing political strifes and the slimy politicians of all parties and "isms"; we must reverence and use our Constitution, resolved rationally to consider and firmly to establish upright economic government.

With clearer insight into the unchangeable principle of Divine Justice, unto which all of nature's laws respond, there will come a melting away of the debasing strifes of the past and the present.

A conception faint at first, but growing, expanding, becoming more and more intense, more and more lucid, will sway us, control us and lead us aright; will lead us into the pathway of true advancement; and will urge us to receive Divine assistance as we labor to purify, to ennoble, to elevate ourselves and all mankind.

A handwritten signature in cursive script, reading "Edward A. Stearns". The signature is written in dark ink and is positioned centrally below the main body of text.

## Contemporary Journalism

¶ In this department of The Editorial Review we publish each month the history and growth of a newspaper of prominence. In this number we sketch the successful career of the Independence Daily Reporter.

¶ We also reprint here carefully selected editorials on the vital questions of the day, in which public opinion is reflected and presented unbiassedly in the most forceful and telling manner. To the individual reader it would be an almost impossible task to cull these editorials, for it involves the perusal of thousands of newspapers. Through its trained staff, however, The Editorial Review is able to present this compendious résumé of the best, keenest and most up-to-date contemporary opinion, as set forth in the leading newspapers, the value of which for future reference can not be overestimated.

### INDEPENDENCE DAILY REPORTER. (*Independence, Kansas.*)

THIRTY years ago when The Reporter was established, Independence was merely a small frontier village. The latent wealth of its soil and oil and natural gas deposits was still to be revealed.

Prior to the appearance of The Reporter two dailies had been published in Independence, but as they lived for only a short time, the towns people had to depend for news on the Kansas City papers that were delivered in Independence at seven o'clock each evening.

Ralph C. Harper and Samuel Wassam saw the opportunity for founding a newspaper whose local news, in addition to the general, should offer a feature of special interest. The first edition was issued from the office of The Kansan. The Reporter appeared as a four-column quarto, and for many weeks was printed on a job press, one page at a time. The two



publishers were general utility men and performed all the services arising from the publication of a newspaper, even to the delivery of the printed sheets, one partner taking charge of the east and the other the west side of the town.

The new venture met with a cordial reception, and it soon made many friends. The first important story published in *The Reporter* was the announcement of the death of President James A. Garfield.

In 1882 the newspaper had a home of its own and acquired from mortgages the plant and machinery of a defunct weekly, *The Living Age*. At this juncture Mr. Wassam retired, and the senior member of the firm, owing to stringency of times, was obliged to turn the plant back to the mortgagees. Dr. McCulley, however, and C. H. Harper continued the publication, and negotiations were completed whereby Mrs. Harriet E. Harper and C. H. Harper became proprietors, retaining this connection until the summer of 1885, when *The Reporter* was purchased by F. N. Sickels.

Under the new editorship the newspaper made firmer the foundation upon which it had been erected, and the equipment of the plant was greatly improved, in spite of financially hard times in the West.

In 1898 the equipment was moved to the rear of the building then occupied, where adjoining plants were maintained by Mr. Sickles and former State Senator Henry W. Young. The latter started a newspaper called "*The Populist*," now *The Independence Times*. Still another removal was made to the *Baden Building*.

The paper, begun as a morning issue, became eventually an evening journal. Mr. Sickels remained proprietor and editor from 1885 to February, 1894, except in 1891-2-3, when he was connected with the United States Pension Agency at Topeka. During that period of absence his son, Walter S. Sickels, was publisher and editor.

In February, 1894, *The Reporter* became the property of S. De Wolf and Allison M. Oliphant. During their ownership H. G. James, the present publisher, became interested, in a newspaper sense, in *The Reporter*.

Kansas was in the midst of an oil boom, and *Independence* became a Mecca for men interested in that enterprise. In order to supply the demand for oil news, Mr. James opened negotia-

tions with the proprietors of The Reporter which finally, on September 1, 1894, led to his purchase of the property.

In taking it over, his aim was to give it a distinctive character as an authority on mid-continent oil, the new industry that had developed cities out of villages.

The Reporter is a most important factor in the prosperity of Independence, and maintains a high standard of efficiency. It moved into its present magnificent home on July 4, 1909, where it has an equipment of the most modern and approved type.

The Reporter is Republican in politics, but is fair minded and holds that a public official, no matter what his politics may be, should be supported so long as he remains true to the trust imposed upon him by the people. It is quick to condemn malfeasance in office, and ever ready, regardless of politics, to give credit where due. Honesty and fairness with its business patrons, combined with its high aims and tenets, have been its key note of success.

The personnel of the staff has had much to do with the upbuilding of The Reporter, all the departments being influenced by a family feeling that makes every one work loyally for the good of the paper which has done so much for Independence and that section of the country, and which has become one of the powerful organs of public opinion in the United States.

## PROHIBITION.

*(Independence Daily Reporter.)*

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IT speaks volumes for prohibition that there are twenty-seven counties in Kansas with no one in the county almshouses. Contrasted with those eastern States where every township has a crowded poor house and where the number of dependent poor and insane is increasing with alarming rapidity as the result of liquor, this Kansas record of prohibition speaks stronger than mere words can put it. Another mighty testimonial to prohibition is the fact that Kansas is the richest State per capita in America. In this big county every third person is a property owner. In the 105 counties of the State there are 411 aged and infirm poor, 45 insane, 47 inebriates, 158 idiots and feeble minded, 51 blind, 25 deaf and 13 children. There are 4,600 in the nine State charitable institutions. The expenditure of the board for the maintenance of the nine institutions for the fiscal year 1910 was \$808,110, and for the fiscal year 1911, \$834,571. This is a remarkable record for a great State like Kansas and ought to carry its own enforced prohibition to other States.

## THE ADVANCE OF CONSERVATION.

(*Louisville Courier-Journal.*)

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A **TIMBER** company which has purchased 250,000 acres of land in Western North Carolina will place the entire tract under the supervision of the United States Forestry Bureau. This is a departure from the methods usually employed by timber companies. It is significant of the advance of the conservation movement.

Another feature of the enterprise will be the complete utilization of all the sawdust and other waste from the several mills that are to be operated. The sawdust will be used at a central power plant where it is to be converted into electric power to run all the mills and factories from which the waste is produced, with a surplus to operate a large ground pulp mill. The 250,000 acres of land are covered with practically virgin timber. Ordinarily when mill owners purchase a tract of timber they proceed to cut it down ruthlessly and saw it up with the greatest possible expedition. This will not be the policy of the North Carolina company. It is proposed to exercise judgment in cutting, to the end that a supply of timber may be maintained indefinitely.

The growing scarcity of timber in some parts of the country is bringing the mill men to the realization that they must give some consideration to the supply of the future. Not long ago lumber manufacturers in five Western States held a conference in Portland, Ore., to discuss forest fire protection, conservation and reforestation. Probably 50 per cent. of all the standing timber of the United States is west of the Rocky Mountains, but the lumbermen of that region are sensibly taking steps to conserve it. The example should be followed in every State where the timber problem is becoming acute—and that means practically all the States of the Union.

## WILSON'S TARIFF VIEWS.

*(Newark Evening News.)*

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GOVERNOR WILSON'S assault upon the protection policy, before the National Democratic Club, was wholly stimulating and in the main successful. If here and there a missile may have overshot the mark, most of the fire told, and told heavily.

The Governor's underlying thought was that the tariff policy which the Republicans have attempted to defend is economically and morally indefensible. He argued that, whereas protection was at one time based upon a theory which "was very arguable indeed," "our tariff policy has not for several generations been based upon any principle whatever, but only upon a system of favoritism, of patronage, of arbitrary fosterage by the Federal Government."

But the fact which forces the tariff to the front as a national issue today, the Governor held, is the fact that "it is not the old tariff question that has now come up for a new settlement, but to all intents and purposes a new tariff question."

This new tariff question, Dr. Wilson said, has been forced upon us by recent industrial changes. So long as there was domestic competition, the tariff wall could not maintain unjustifiably high prices. But with the coming of industrial combination, competition tended to be eliminated, and with it competition's automatic regulation of prices.

As a result, a command of prices has been concentrated in a few hands, and "along with the control of prices has gone the control of enterprise, the restriction of enterprise, the shutting out of those who would compete if credit and opportunity were not closed to them."

Hence the public protest against the present protective tariff finds its first justification in the higher cost of living and its second justification in the evidence that this higher cost of living

is due to an artificial reason—excessive duties, with their consequences.

With this protest the Governor is in complete sympathy. Not only has American industry, in his view, been coddled against foreign competitors, but “by the convenient method of combination” it has been coddled against competitors at home. And by this process the consumer has been made to pay in high prices and taxation for the artificial advantage guaranteed to the industries which the tariff keeps in swaddling clothes.

Against protected industry the Governor brought the severe arraignment that it is inefficient, as well as inexcusably wasteful of natural resources. Upon both of these points he laid significant and deadly emphasis.

As to the inefficiency of protected industry he pointed out that in the formation of recent industrial combinations, the less efficient constituent establishments were bought up at extravagant prices, only to be shut down in favor of the more efficient ones; while, to meet the dividend obligations thus prodigally incurred exorbitant profits have been steadily exacted from the consumer (a conclusion toward which, by the way, all the evidence is most decisively turning).

As to natural resources, he argued that in the absence of the competitive spur to economy, waste of materials is encouraged along with a general slovenliness of productive methods in other directions.

Governor Wilson's proposal is to work back very gradually to a strictly revenue basis for the tariff. “This change,” he said, “cannot be brought about suddenly,” but “we must move from step to step with as much prudence as resolution.”

In his criticism of the new Republican doctrine to base duties upon the difference of the cost of production here and abroad—even without that really prohibitory clause which calls for “a reasonable profit to the American manufacturer”—Governor Wilson made his inefficiency shot strike square in the vitals of the ship of protection.

What are we to measure the difference in cost by, he asks—the most efficient, the least efficient, or the average? That shot tells.

Inefficiency entails excessive costs of production. Costs of production are put on the consumer if possible, or taken out of labor, directly or indirectly, either in pay or prices. A “least

efficient" or even an "average efficient" basis simply puts a premium on inefficiency. Are we then to shelter the inefficient?—and pay for the pleasure?

Wilson has not yet fully developed the details of his proposition, and it is possible that in the same volley that struck this bullseye, the Governor may have also scored some misses.

For instance, granting that we do not now possess the statistics for accurate cost comparisons on whatever basis of efficiency, it still remains true that while the gradual process of reduction to a revenue basis is going on, duties more or less protective in their nature must be levied against specific industries at specific rates.

It is difficult to see how a better basis can be provided in the meantime, than a measure of production costs, possibly, as in the action of the Interstate Commerce Commission, levied on a plan that will put a premium in earnings on efficiency. This remains true during the era of gradual reduction even though the eventual outcome may be duty on the revenue-producers, instead of the tariff designed for protection, not for revenue. In their extremes, it is, of course, obvious that the two policies are as far apart as the poles. Complete protection is prohibition of imports, a revenue tariff depends on imports.

The Governor was nowhere more successful than in those passages in his address.

## GOVERNOR'S SALARY.

(*Lincoln Daily Star.*)

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IN the new Congressional Directory sent out by the joint printing committee of the house and senate, appears a tabulated statement of the salaries paid by the various states to their governors. It makes a somewhat pitiful showing for Nebraska, as this is one of the two states in the union listed as paying their governors the minimum salary. The salary of the governor of Nebraska is given at \$2,500. Vermont is the only other state that pays so little to its chief executive.

Illinois leads in liberality in payment of its governors, overtopping even New York. It pays its governor \$12,000 a year, while New York, California, New Jersey, Ohio and Pennsylvania pay \$10,000 each.

Fifty-one governors are listed for the states, territories and insular possessions. Indiana, Massachusetts and Porto Rico pay each \$8,000; Minnesota, Alaska and Hawaii, \$7,500 each; Kentucky, \$6,500, and Washington pays \$6,000.

Eighteen states pay their governors \$5,000 per annum, being Alabama, Colorado, Florida, Georgia, Idaho, Iowa, Kansas, Louisiana, Michigan, Missouri, Montana, New Mexico, North Carolina, North Dakota, Oregon, Virginia, West Virginia and Wisconsin.

In the \$4,500 class are Maryland, Mississippi and Oklahoma, while Arkansas, Connecticut, Delaware, Nevada, Tennessee, Texas, Utah and Wyoming content themselves with \$4,000. Arizona Territory's governor gets \$3,500, and the governors of Maine, New Hampshire, little Rhode Island, South Carolina and South Dakota get \$3,000 each.

This showing for Nebraska is not only pitiful, it is unjust. It is a well known fact that the governor of Nebraska gets in fact a great deal better than the \$2,500 indicated in the state-



ment of the Congressional Directory. Owing to a constitutional inhibition, no more than \$2,500 is paid him as salary, but another provision of the constitution declaring that he shall not receive to his own use any fees, costs, interest upon public moneys, prerequisites of office or other compensation, is violated by the allowance to him of \$500 a year traveling expenses and railroad fare, and \$2,750 per annum "for maintenance of the governor's mansion," which is provided rent free.

While anyone who may happen to consult the Congressional Directory's list of salaries paid may obtain a very contemptuous estimate of Nebraska's importance as a state and the enormity of its resources and wealth, it hardly seems right to ask the compilers of it to take note of the manner in which the constitutional devil is whipped around the stump by liberal legislators bent on adequately requiting exalted statesmanship and political cleverness.

Some day, perhaps, the people of the state may be aroused into amending the constitution to provide a straight \$5,000 or \$6,000 salary, instead of present piecemeal allowance of \$5,250, and cut off the railroad fare and maintenance of mansion items. Then we may get right with the world in such publications as the Congressional Directory.

## THE CONSERVATISM OF AMERICA.

(*New York Evening Sun.*)

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Most Americans probably think of their country as extremely radical in politics—as a pioneer, trying out new trails for the benefit of mankind. As a matter of fact, it is not difficult to demonstrate that we are as a nation conservative. The great adventure was the founding of the republic. To set the people in sovereignty over a vast nation was a hazard without a parallel in political history. But with few exceptions in the century and a quarter that have now elapsed, the people have shown themselves averse to rash experiments in the national government and have held the nation to a course well behind the present day radicalism of England, for the best example. Thus we have the paradox, that the country which owed its birth and character to an extreme radicalism has reached maturity with a larger bump of caution than its conservative parent.

There are a number of excellent reasons which alien critics are fond of assigning as the sources of our conservatism. A few of them are complimentary. Probably the most substantial reason suggested and certainly the most agreeable is a very fundamental one—that our social and industrial system is, in spite of all, democratic and permits a man to find his own level, to the curbing of dissatisfaction and the disarming of unrest. Without rehearsing these larger arguments, it occurs to us that one very real source of our conservatism as a nation is often overlooked. We mean our federal system, which permits local self-government upon a unique and extraordinary scale.

What we wish to emphasize is the free rein given to local radicalism. Thanks to the vastly ingenious device of our federal government, we possess within our own borders large political States that are practically self-ruling. Not only do they control their own schools, their own courts, their own public

works, their own system of taxation and administration. What is even more important they determine their own system of government, restricted only by certain very broad limitations laid down in the Federal Constitution. A member of the Union is a true State in miniature. It can restrict its suffrage narrowly or broaden it to include whom it will. It can experiment with the initiative and referendum and the recall, almost as it fancies. It can apply the commission form of government to its cities or dabble in direct primaries. So long as a republican form of Government is preserved, the field is open.

The consequence is plain and of far-reaching importance. Certain estimable conservative citizens are prone to regard with horror the rash adventures of Oregon or Kansas or Wisconsin. In fact, it seems more near the truth to regard such States as a source of safety to the entire nation. The older and more cautious States can bide their time and look on while their younger sisters hurry on ahead. When the trial is proved by bitter experience to be folly, the rest of us can preen ourselves with satisfaction. When the progress proves to be real, the other States and the nation can follow if they will. Thus, as well to relieve the feelings of the protestants in politics as to furnish needed experiment stations and object lessons for the country, our federal system has proved a happy stroke.

Very probably, the prevalent view among Americans as to our own radicalism flows from the very situation described above. We are radical, extremely so, in certain of our commonwealths. But the great bulk of our States have held to the old ways and their opinion has generally prevailed in the councils of the national government. Take woman's suffrage as an example. Certain of our States have done pioneer work in testing the efficacy of women's voting. And, today, in California, one of the great States of the nation, the experiment is being tried on a scale that can not be ignored. It is not too much to say that the entire country is watching the test of woman's suffrage on the Pacific coast and that the immediate fate of the project depends in large measure upon the results there. Yet, notwithstanding this radical experimentation running through entire commonwealths, the nation at large stands uncommitted and free to act as time may determine.

The contrast with England in respect to this problem is notable. The empire has its radical New Zealand to be sure,

but its units are too diverse to furnish evidence for one another. Thus England is now face to face with the proposal of nation-wide suffrage for women. The one practicable proposal upon which any agreement was reached last year contemplated the enfranchisement of about two million women. Now, through the ingenious tactics of Mr. Asquith, the issue has been changed to the radical proposal that eleven million women be given the ballot by a single act of Parliament. But upon whichever basis the issue arises, the hazard is similar in kind if not in degree. A nation-wide trial must be made without the possibility of preliminary experiment. And the case of suffrage is but typical of every other problem of the day now at a ferment in England.

It is quite impossible to put the notion of our federal system into the mind of an Englishman; and we very much fear that some of our own citizens are thoroughly blind to its best merits. The truth is that it permits a democracy of republics, having the same free play of intellect and rivalry of achievement as we strive to afford to individuals, our citizens. And in such freedom, if it can be preserved, may well lie the success of our great adventure.

## HOME RULE AGAIN.

(*Providence Journal.*)

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It is a little over a quarter of a century since Mr. Gladstone brought in his Home Rule bill. His conversion to the cause was sudden and, by a simple coincidence few could ever have reckoned upon, it was accompanied by a need of Irish votes in the House of Commons. The same need exists in the case of the Liberal Government today; and a new Home Rule bill is to be brought in for the purpose of holding together the already tottering alliance between Mr. Asquith and Mr. Redmond. In all this time Ireland has been enjoying great prosperity. The old argument of poverty and oppression can not be urged by the Home Rulers. The theory that the Irish question was a land question has been amply demonstrated by the working of the land laws which both Liberal and Conservative Governments have passed. Mr. Redmond himself confessed this in a speech which he made in this country on his last collecting tour "Over one-half of Ireland," he said, "the tillers of the soil are now absolute owners. In a few short years the whole of the land of Ireland will be, once and forever free from landlordism. A few short years and the land question in Ireland, that fruitful source of poverty, starvation, misery, bloodshed, and crime will have absolutely passed away, and with the passing away of that system will have passed away the chief cause which kept the Irish people not only poverty-stricken but enslaved." In such circumstances a purely political agitation becomes difficult.

There is, of course, something to be said for Home Rule. Physical prosperity can not always allay intellectual discontent. Throughout three of the provinces of Ireland the desire for a Parliament at Dublin still remains. It is idle to contend at this late day, of course, that Ireland does not get justice from

the Parliament at Westminster. Indeed, there are Englishmen who are inclined to wish that Home Rule might be granted if only for the sake of relieving the Parliament at Westminster of the constant pressure of Irish affairs. The trouble is, however, that it is not a mere matter of administration. Much may be said for the devolution of local business upon local legislatures. It is possible that in time the imperial parliamentary machine may break down of its own weight. But until that time comes Englishmen are bound to look askance at any measure which makes Ireland semi-independent. The instinct which dreads this as precluding the break-up of the Empire may be mistaken; but it is natural. The Irish leaders, to be sure, are loud in their professions of loyalty today. They declare that Home Rule will make Ireland more loyal than ever before. There is perhaps some force to this argument. On the other hand, the English people can not easily forget the bitterly disloyal utterances of the Parnell era, or the repeated declarations of Mr. Redmond himself that Ireland must be "free." Home Rule might or might not lead to secession. But the leaders of the Nationalist party have only themselves to blame if the doubt lingers. The Unionists are probably as anxious as the Liberals to do justice to Ireland; but the long score of Irish discontent can not well be wiped out by setting back the hands of the clock. For good or ill Ireland has become a part of the United Kingdom, and such it must remain.

Then there is the question of Ulster. The present state of feeling in the northern province is so intense that the difficulty of legislating without prejudice is immensely enhanced. It is easier to understand the Ulster attitude than to approve it. Such a moderate bill as that which the Government is credited with being about to introduce leaves Protestant Ireland in a permanent minority in the Dublin Parliament. To the Orangeman this is calamity which persons less fiercely bigoted can not appreciate. Elsewhere in Ireland Protestants and Catholics live together amicably enough. But in Ulster the old animosity of the days of the Pale remains. All the narrowness of the Scottish Presbyterian has been intensified in the Orangeman. He not only hates, he despises Irishmen. It will not do to take the threats of resistance to Home Rule even by force of arms as mere idle boasting. Ulster is in deadly earnest. Indeed, the Nationalists may very well say that the speeches of promi-

ment Orangemen are much more disloyal than any of theirs. To give Ireland a Parliament and bring Ulster and the rest of Ireland under one legislative roof is a good deal like compelling two persons who have been divorced to live together in wedlock.

Still, to deal with such a situation as this by simply saying *Non possumus* is not statesmanship. The granting of some larger measure of self-government to Ireland is inevitable. The opponents of Home Rule have generally recognized this. Perhaps it will come, as has been suggested, when the congestion of business at Westminster becomes unendurable. Perhaps Ulster may eventually succeed in having a Parliament of her own. But for the great bulk of the British people the integrity of the Empire is the first consideration. The new Home Rule bill, as outlined, is a moderate measure. The number of Irish members in the Imperial Parliament will be greatly reduced, so that Ireland can not rule in purely English or Scottish affairs as well as her own. The Irish Parliament will have no authority over the army or navy, the militia, foreign policy, the coinage, military camps or coast lighting, and will be forbidden to deal with religious matters or endow any religion. This last proviso is obviously designed to quiet the Ulstermen, though there is not much likelihood of its having that effect. An intelligent analysis of the bill is, of course, impossible until it has been presented in the House of Commons and can be studied in detail. It seems fair to assume, however, that Mr. Asquith proposes to be more conservative than Mr. Gladstone was in yielding to Nationalist demands. That fact alone, perhaps, justifies the conclusion that, with the vast improvement in physical conditions in Ireland since 1886, political dissatisfaction is becoming less and less a factor in the life of the people. There are plenty of voters even in the south who do not care a rap whether Home Rule is ever granted or not.

## SOCIALISM IN GERMANY.

(*Kansas City Star.*)

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THE German worker is the best looked after of any workman in the world. The imperial government has done more for the working class than any other government has done. It is to Germany that we of America and the liberals of other countries look for models of workmen's compensation acts, continuation schools, housing regulations, workingmen's insurance, etc.

These things are a sort of state socialism deliberately designed first by Bismarck to promote the efficiency of the German worker and soldier and also to forestall and prevent the growth of social democracy—pure Socialism. And still this intellectual socialism, which has worked for all such specific amelioratives as have been mentioned, has spread prodigiously and increased its demands for popular control both of the political machinery and of the means of industrial production and distribution.

The paternal mind of the German imperialists, aristocrats and middle classes can not understand and resents the Social-Democratic movement. It thinks the workers should be satisfied to be "looked after."

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The elections recently concluded give the Socialists 110 deputies in the Reichstag, which has a total membership of 397. With an allied Radical vote of about fifty the Socialists hold the control of a parliament composed of several party groups, the most important of which are the Center (Catholic), Conservatives, National Liberals and Social Democrats. With the returns of the late elections the Socialists are considerably in the majority over any other party group. In 1903 the Socialists elected eighty-one deputies and cast slightly more than 3 million votes. In 1907 they cast  $3\frac{1}{4}$  million votes but only elected



forty-three deputies. Now they have 110 deputies, representing over 4 million voters.

It is to be understood that in Germany the imperial legislative districts have been gerrymandered in a way to excite the envy of any American political machine and that the big cities are discriminated against in favor of agricultural "rotten boroughs." Still the Socialists have made their enormous gains and their voting strength is considerably more than one-third that of the whole German people.

In a cursory glance at these momentous German elections one can scarcely dip below the surface into the causes of the discontent or the radical progressivism. What the Socialists call "the economic pressure" is frightfully strong in the empire in spite of the paternalistic palliatives before referred to. While supporting these measures themselves as rightful and democratic, Herr Bebel and the other Social Democrat leaders protest against the paternalism of the methods of a government which levies its taxes upon the poor and largely exempts the privileged classes and the wealthy. For example, the great increase in the cost of government induced by the increase in the navy and the extension of the army to a peace footing of 640,000 men — this increase in burdens has been accompanied by a repeal of the inheritance taxes and a levy of additional taxes upon beer, sugar, gas, railroad tickets and similar necessities and conveniences of the general body of the citizens, especially of the workers. Upon this immediate tax issue a large portion of German voters voted for Socialist deputies, although they did not accept the general Socialist program of an overturn of the existing scheme of industrial proprietorship. This latter class of voters rather voiced a protest and hoped to "throw a scare" into a government whose policies had increased their cost of living.

It is to be known that in Germany in spite of all that has been done for a large percentage of the working classes there exists tragic poverty with its accompaniment of unemployment. The working classes of all conditions have been trained in the belief (by a party and by a propaganda of more than a half century's duration) that they have a right to do things for themselves rather than to have things done for them. They have been educated in the faith that as producers of the wealth of the German Nation they have the right to control the

tools of production and that if they procure this right every man who wishes to work will have the opportunity to work, and that there will be an end to poverty, crime and prostitution, except for that residuum of such evils as may truly be inherent in human nature.

An immediate effect of the Socialist victories has been talk of reviving the early Bismarckian policy of Socialist repression—prosecution for Socialist free speech, revocation of the suffrage rights of Socialists as enemies of the public welfare, etc. Some such policy is possible. But it may be recalled, as against this, that while Bismarck's persecutions of the '80's did temporarily repress the outward manifestations of Socialism its lasting effect was to unite German Socialist factions and to produce a Socialist party in Germany which has not been equaled anywhere else for solidarity and class consciousness. Lately a considerable schism has developed in the Social Democratic party of the empire, which prosperity has widened. "Repression" now may serve only to heal this breach.

Of the proposition to engage the country in war or in war-like demonstrations to "recall the people to patriotic sentiments," it is not to be forgotten that in the late trouble between France and Germany over Morocco there were enormous mass meetings of Socialist workers in both countries protesting against hostilities and declaring the fraternity of the working classes in the French Republic and the German Empire. For the continental Socialists, while maintaining their respective nationalities and their patriotisms, are also members of an international organization and have been educated to believe that the mutual interests of the workers of the world are opposed to war.

This would be less significant if the increase of Socialism in the Kaiser's dominions were so isolated phenomenon. But it is not. While the Germans have made the greatest strides and achieved the most spectacular and substantial results, the world-wide—and especially the European—spread of the Socialist program, or movement, has become one of the most interesting and possibly prophetic distinctions of the Twentieth Century.

## PRINCETON'S NEW PRESIDENT.

(*Dayton Journal.*)

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GENERAL satisfaction exists among Princeton alumni and friends of the school over the selection of Professor John Grier Hibben as successor to Dr. Woodrow Wilson of Princeton University. He brings to the position ripe scholarship and a broad sympathy with scholarships and scholars in every field and proved administrative ability. Dr. Hibben's name has been connected with the position ever since Dr. Wilson resigned the office to become Governor of New Jersey, on October 20, 1910.

Although many men, apparently fitted for the position, were available after Woodrow Wilson surrendered the office, there existed peculiar problems of administration which gave the trustees pause. The most serious of these problems which hindered the trustees in their selection were the substituting of the "quad" system for the club idea, which had been suggested by Dr. Wilson before his retirement, and the policy to be followed in regard to the graduate school. The installation of the "quad" system would have meant a radical change in the student life of the university. The plan advocated by Dr. Wilson was to have a set of quadrangles, with tables in common, replace the clubs. The idea was received with no uncertain opposition on the part of influential graduates and Dr. Wilson finally abandoned the plan. However, it was feared that Dr. Wilson's successor might favor the project.

The graduate school problem developed when William Cooper Procter announced a gift of \$500,000 to promote the scheme of Andrew F. West who favored a great institution practically independent of the university. The plan was opposed by Dr. Wilson and Mr. Procter eventually withdrew the offer. During the interim, however, several of those who were mentioned as possible successors to Dr. Wilson had expressed decided views of both problems.

Professor Hibben is an able writer and should prove an able successor to Dr. Wilson and his administration promises to be one of encouraging progress to this time honored institution.

## “BUT MOST OF THEM NEVER HAPPENED.”

(*Duluth Herald.*)

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AN elderly philosopher, happy in a contented old age, has these words carved over his mantel:

I am an old man and have had many  
troubles, but most of them never happened.

Do you know that if you will just sit down before that motto and get it into your system thoroughly you will solve half the troubles of life?

Ninety per cent. of the misery and sorrow and gloom and trouble in the world never happens. You just think they are going to happen, or fear they may happen, and so you shroud yourself in woe and sit in sack-cloth and ashes worrying over them.

That's a very silly but a very human thing to do.

If in your youth you can master the philosophy of that old man, and realize now what perhaps he did not realize until he reached the valley of the shadow where the sun of life is low on the western hills, it will make the difference in your life between happiness and unhappiness.

Fear is a numbing, cramping, paralyzing force that grows by what it feeds on. Banish it, and most of your troubles will go with it. Nearly all the things that cause alarm are formidable only because you use the microscope of fear upon them and so magnify them many times. If you face them with courage and grapple with them, things that seem fearsome and dark and substantial prove to be mere mists that vanish as you boldly advance to meet them.

Doubt is another paralyzing force. You doubt your own capacity, and the chill of that doubt makes you weak and forceless. You doubt your ability to do a hard task that confronts you, and the more you doubt the harder the task becomes.

But if you have faith in your own capacity it nerves you to the combat and gives you a strength that vanquishes difficul-

ties. If you have confidence in your ability to do the task which is before you that confidence will make you strong and your task easy.

Doubt and fear sit in despair before a mole hill.

Courage and confidence will attack and subdue a mountain.

Your doubt makes the mole hill look like an unsurmountable peak.

Your courage makes the mountain look like a mole hill.

I am an old man and have had many troubles, but most of them never happened.

You are a young man—or a young woman—and you think you have lots of troubles. How many of them—now be honest with yourself—how many of them ever actually happen? How many of the things you worry about and fear and doubt your ability to overcome really amount to anything when you come face to face with them? If you sit down and think that out, and realize, as you must, that only a very small part of them are real, and that most of them are what your doubts and fears make them, you will banish doubt and fear. Cultivate your courage and your self-reliance. Apply to impending troubles the magic touchstone of faith and courage, and watch them vanish.

Some of them won't vanish, perhaps, because they are real; but if you have faith and courage you can overcome the worst of them.

If you indulge your doubts and fears the smallest of them will overcome you.



## Literary Notes

As the time approaches for the completion of the Panama Canal and the opening of that highway of commerce to the nations of the world, interest in the subject increases, and the literature thereon becomes more comprehensive and up-to-date. "Panama, The Canal, The Country and The People," by Albert Edwards, just published by The Macmillan Company, is a popularly written narrative of Panama in its present aspects and in its historical past. The geography of the Isthmus; the configuration and characteristic of Colon and of Panama City; the temperament and traditions of the Panamanians are sketched by facile pen, entertainingly and with a wealth of information and enlightenment.

The romantic history of the coming of the white man to the Isthmus in 1500, and the many vicissitudes that have been experienced from the time of the earliest colonists, to this present writing, bring graphically before the reader a panorama of stirring events and portraits of characters, some great and worthy, others mean and ignoble, that have directed the forces of civilization in countries of superstition, ignorance and fanaticism.

One of the most interesting chapters is that dealing with the extraordinary career of Las Casas, a character that stands out in history as worthy to take foremost rank among the great leaders of mankind. He lived in most stirring times; he was associated with the greatest personages of his day; and he had the privilege of taking part in the discovery and civilization of the new world. Eloquent, devoted, charitable, fervent, sometimes too fervent, yet very skillful in managing men, he will doubtless remind the reader of his prototype, Saint Paul, and it was very fitting that he should be called, as he was, the "Apostle of the Indies."

The work deals with the days of the great trade, the Presbyterian invasion, and the wars of independence; the fifty-three

revolutions in fifty-seven years; and the predecessors of the United States in the task of canal digging.

From the concluding chapters the reader will learn just what American energy and enterprise have accomplished and are accomplishing in the Canal Zone; the marvelous experiments that are being made in collective activity; and the epoch-making happenings in connection with the greatest undertaking of the age. "A visit to the Isthmus of Panama will make any American proud of his nation." That is the author's conclusion and he emphasizes the vast importance of the "collective agency" that is proving invincible in the face of undue problems and most intricate difficulties, probably on a larger scale than have ever been encountered in the history of the world's big industrial undertakings. The work is beautifully illustrated.

One of the most vital questions before the United States today is that of Immigration, and upon the wise policy of dealing with its complexities and difficulties depends to a larger extent than the casual observer might imagine, the future political, social and economic progress of the nation. A great deal has been written on the subject, from various points of view, and a good many half-truths and prejudicial assertions have found public acceptance. This was owing to the absence of reliable statistical data and authoritative determination of the effects of immigration upon the communities throughout our country. During four years the United States Immigration Commission has gathered such material upon a very complete scale, embracing forty-two volumes. "The Immigration Problem," by Jeremiah W. Jenks, Ph.D., LL.D., and W. Jett Lauck, A.B. (Funk & Wagnalls Company), embodies the gist of the Commission's Report and becomes the standard, up-to-date authority on the question. The authors were associated with the Commission from the beginning, and they act as interpreters of the facts, and the conditions formulated. The facts indicate "that tendencies toward lowering the American standard of living are at work at the present time in this country through our large immigration and that, therefore, it is desirable that by some wisely effective method we restrict such immigration." Assimilation of the immigration and a better distribution so as to avoid congesting certain sections and urban centers are of supreme importance in grappling with the problems.

The newer immigration that comes to these shores shows less

stability of character and a greater reluctance to assimilate with the customs and habits of their adopted country than was the case with the older immigration of a few decades past.

The analysis given of crime among the various peoples is very significant; Italians and Austrians making a very bad showing in comparison with other nationalities.

The chief studies of the effects of immigration upon American standards and ideals of civilization fall naturally under certain manheads, the physical, mental and moral characteristics of the immigrants; their attitude toward, and influence upon, our political and social institutions; and, last but not least, the effect upon economic and industrial conditions and methods, the standard of living, and the general trend of American thought.

The authors give some interesting and pertinent facts and statistics concerning the Oriental Immigration to the Pacific States, one of the most perplexing of the many issues in the problems of Immigration. They describe the agencies at work for the protection, distribution and assimilation of immigrants; the legislative and administrative steps that have been taken to lessen the evils of an over-influx of aliens to this country; and they devote the last chapter to an able review of the various remedies that are under way or are urgently needed to enable the authorities to grapple with the problem to the best possible advantage.

The statistics appended to the volume and the excellent Index of Contents add to the value of this work for the student and general reader. As a storehouse of information and a permanent record for reference "The Immigration Problem" deserves a place in the library of all who are studying the vital problems of the present day.

In "The President's Cabinet," a volume of exceptional interest to political students, Mr. Henry Barrett Learned has written on the origin, formation and structure of the Cabinet of the President of the United States. It is only one part of the task that he has set himself to perform. The other, which is yet to appear, is a discussion of Cabinet practices and personnel. In this study of the anatomy of the Cabinet, in contrast to its functions, the author first considers the historic significance of the term in England, partly to emphasize the fact that the body of departmental advisers now responsible



to the President was not consciously formed on the English or any other model. Its basis was the provision of Congress in 1789 for the establishment of three administrative secretaryships and of an office to be known as that of attorney-general. The men who filled these offices and who were well qualified in their knowledge respectively of foreign affairs, finance, army organization and the law, were to be expert assistants to the President. Washington declared that they were appointed because of the impossibility that one man, that is, the President, should perform all the great business of state. The four offices created in 1789 were increased, after sixty years, to seven, the additions being the secretaryship of the navy, the postmaster-generalship, and the secretaryship of the interior. The secretaryship of agriculture was created in 1889, that of commerce and labor in 1903, thus completing the nine executive departments whose chiefs now form the President's Cabinet Council. The author shows that in structure the four assistants first summoned to Washington were akin to some of the Colonial councils of state and to the English Cabinet Council of that time, although since then the latter has developed into a far more powerful organ of government. One of the most interesting parts of this able and timely book, whose fuller consideration lack of space forbids, is the tracing of the idea of cabinet unity, which has been realized through political emergencies and statutory enactments.

"Business, the Heart of the Nation," by Charles Edward Russell, is one of those specious argumentations which the supporters of the Marxian Theory are so fond of flaunting before the public, founded upon entirely false premises and hence capable of no logical superstructure. The writers of this school invariably fall back upon generalities and half-truths which are so easy to lay down and so difficult to controvert. The fallacious reasoning that marks the socialistic school of the present day, and differentiates it from the work of such men as Karl Marx and Ferdinand Lasalle, shows what a change has taken place in the exponents of thought along socialistic lines, and how such theories have been modified by the altered conditions of the last half century between Capital and Labor, not only in this country but in European countries. The rapid expansion of the United States, and the opening up of its railroad communications; the utilization of its natural

resources which have made of it the great wheat producing country, upon which, to a large extent, other nations are dependent; the phenomenal expansion of the Canadian Government in its transportation facilities which have opened up in the great Far West's almost unlimited resources in vegetable and mineral wealth; the development of large sections of the South American Republics and the bringing of these into trade relations with the United States and other great nations in a way that but a few years ago would have been impossible,—these are some of the facts and conditions that have changed altogether the face of Capital-Labor problems, and brought into being an entirely new set of circumstances and conditions. It has been recognized, even by some of the leaders of socialism, that the organization of labor, known as Labor Unions, is one of the most inimical forces at work against the carrying of socialistic theories into practical effect.

In the book under review one of the aphorisms that seems to us as peculiarly ironical is that "the message of socialism is business for the common good." Tennyson, in his poem "Mary" has some lines that run:

"A lie that is wholly a lie can be met with and fought outright,  
A lie that is half a lie is a difficult matter to fight."

This is true of socialistic theories in general, and more particularly of that singled out. The experience of all trials of so-called socialistic communities shows what a dismal failure any attempt has been to reduce Business to any cut and dried programme, to any mathematical rule, or to endeavor to equalize where equality means stagnation. The writer goes on to say that socialism "is as truly practical, and as much for present-day conditions as it is 'moral.'" He states that when Mr. Gladstone proposed to enlarge the franchise in England there were those who predicted that it meant the downfall of the country. When the Suez Canal was begun, an eminent engineer asserted that the whole scheme was insane, for the reason that the Red Sea was 27 feet higher than the Mediterranean. Many times the steam railroad was shown to be impossible, and scientists proved on paper that aviation was chimerical. From these instances of the way in which individual opinion has oftentimes to give way to the consensus of opinion in the evolution of the work of mankind, the author very adroitly ends his argument of three hundred pages, by

showing that all attempts to solve the great business problems that are today engaging the attention of so many earnest men, not only statesmen and politicians, but many of the rank and file in private life, who are none the less earnest students, are absolutely futile because *the one panacea*, the one thing that shall save humanity and wield together all business on one magnificent whole, shall promote the greatest happiness for the greatest number is—Socialism.

Laird & Lee (Chicago), publishers of many useful dictionaries in English, Spanish and other languages, have just issued an admirable little manual, *The New Standard Business and Social Letter-Writer*. The editor is Alfred B. Chambers, Ph.D., and the work has been done with commendable thoroughness and comprehensiveness. Clearness and letters of real use, instead of, is usual in such books, stilted, impossible phraseology, make this Letter-Writer of value to those at a loss for the proper forms and usages of correspondence, and for suggestions of ideas suitable to be expressed on various occasions.

We have received a book entitled "Practical Method for Self Development—Spiritual, Mental and Physical," written and published by Elizabeth Towne, of Holyoke, Mass. It is an attempt to present in popular form some of the phases of what is commonly known as the "New Thought." On this subject there has been of late years a great deal written, from both a therapeutical and a sentimental point of view and considerable confusion of ideas and loose thinking have been put before the public as scientific explanation of well-known phenomenon in the spiritual, mental and physical worlds. We confess to having had scant patience with some of these effusions; we are, therefore, the more pleased to be able to commend this small book because of its earnestness, clarity of expression and enthusiasm.

Panama; The Canal, The Country and The People. By Albert Edwards. The Macmillan Company. \$2.50 net.

The Immigration Problem. By Jeremiah W. Jenks, Ph.D., LL.D., and W. Jett Lauck, A.B. Funk & Wagnalls Company. \$1.75 net.

The President's Cabinet. Studies in the Origin, Formation and Structure of an American Institution. By Henry Barrett Learned. Yale University Press. \$2.50 net.

Business, the Heart of the Nation. Charles Edward Russell. John Lane Company. \$1.50 net.

The New Standard Business and Social Letter-Writer. Laird & Lee. Price \$1.00 net.

## With Our Publishers

IN our December number we outlined our policy in regard to presenting the political issues in this Presidential year. We started the series in our February issue with "Some Presidential Aspects," by Francis Curtis, Literary Director of the Republican Congressional Committee. In the same number there was a notable article by the Governor of Alabama on the Initiative and the Referendum, a subject that has become of most timely importance owing to the recent decision of the United States Supreme Court.

In the current number, "Why Not Take the Post Office Out of Politics?" by Congressman Norris, covers one of the foremost issues of the day. "Our National Library," by Herbert Putnam, Librarian of Congress, will be appreciated by thoughtful men and women everywhere, and in an early issue this will be followed by an account of some of the treasures and rarities in books and manuscripts in the principal European Libraries, from the pen of one who is familiar with them.

In the April number we shall publish important articles by the Campaign Managers of the various candidates for the Presidency, thus placing before our readers the claims of the respective men to public support at the forthcoming election.

Lovers of music and drama will be pleased to know that Mr. Robert Grau will give a series of articles on theatrical and operatic topics. This prospectus of our plans will, we feel sure, convince our readers that THE EDITORIAL REVIEW will continue to maintain the high reputation for timeliness of topics and prevision of the trend of thought that has been attested by the words of encouragement and laudation coming to us from all parts of the country.

### CHEER AND CRITICISM.

EVERY publisher is glad to know that his magazine has the approval of its readers; and is quite willing to confess to a feeling of pride in reading commendatory letters from subscribers.

If he have the permanent interests of his magazine at heart, and if he would not lose sight of the fundamental bases upon

which he is building the publication, he will welcome honest criticism even more than praise.

The publishers of *THE EDITORIAL REVIEW* delight in reading words of commendation of the magazine, and take this opportunity of thanking those who have written us for the kindly interest evinced, but would more eagerly grasp at and seriously consider letters that call their attention to its shortcomings.

Have you any criticism on the magazine, or any suggestions for its improvement?

Here are a few more complimentary epistles received during the past month.

One of our subscribers has been reading *THE EDITORIAL REVIEW* since its first issue, and he recommends it to "all who desire to be well informed on current controversies of present-day problems."

"I have read your magazine with interest from its first issue.

"I believe the unbiased, non-partisan attitude you adopt in presenting matters of importance to the thinking portion of the community is invaluable.

"I recommend it to all who desire to be well informed on current controversies and present-day problems."

The following letters are from new subscribers, who are so impressed by the initial number sent them that they graciously write to tell us of their delight:

"Please place my name among your subscribers. I would send check today to cover the cost for one year, but do not know how much is needed.

"I noticed your magazine a few days ago and was much impressed by its scope and the excellent methods you use in bringing the topics before your readers. If you keep the standard as it now is you can count upon me for many years."

"I duly received your favor of January 30th, and have recently read the February number of *THE EDITORIAL REVIEW*. I am so much impressed therewith that I am enclosing a subscription, together with \$2 in currency.

"I am naming upon the subscription blank five of my friends, and hope that they may be equally impressed with your magazine."

# THE EDITORIAL REVIEW



Mrs. Elmer Black,  
President

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## CONTENTS

	PAGE
The Presidential Outlook	277
Timely Topics	279
The Renaissance of Agriculture in the United States	William C. Brown 283
Increasing the Agricultural Yield	Mexican Herald 286
Patriotism	William D. McNulty 288
The Civic Duty of the Ordinary Citizen	Dallas Morning News 294
Why Taft Should be Renominated	William B. McKinley 297
Republicans for Taft	Wilmington Evening Journal 304
Why the Democratic Party Should Nominate Champ Clark for the Presidency	Lafayette Pence 306
Champ Clark	New York American 313
Judson Harmon of Ohio—A Man of Deeds, not Words	Robert M. Dittley 316
Governor Harmon	New York Times 325
Why the Nation Needs Theodore Roosevelt as President	Joseph M. Dixon 327
Called Back	New York Evening Mail 332
Why Woodrow Wilson Should be the Democratic Nominee for the Presidency in 1912	William F. McCombs 334
Spirit of the Times Typified by Wilson	Des Moines News 340
Why Oscar Underwood Should be Elected President	John H. Bankhead 342
A Good Sign	Birmingham Age-Herald 347
What is the Matter with the Theatrical Business	Robert Grau 348

## CONTEMPORARY JOURNALISM

San Antonio Express	354
Neutrality Laws Will Be Enforced	San Antonio Express 357
Reciprocal Borrowings	Chicago Tribune 359
Panama and Canada	Detroit News 360
The "Open Door" Closing	Providence Evening Tribune 361
The Inquiry Into the Cost-of-Living Question	New York Evening Post 362
Japan's Great Problem	Mexican Herald 365
The Postal Savings System	Newark Evening News 367
France Anti-Christian	Cleveland Leader 369
Social Shipwreck	Indianapolis Star 370
Literary Notes	372
With Our Publishers	377

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THE EDITORIAL REVIEW is a high-class journal of original thought and the medium for the selection and presentation of dominant editorials of the daily press, thus denoting the views of different sections of the country.

It appeals to those who desire information on questions of high particular and general import. It is a class publication for those who wish to keep pace with every important movement in current general history

# THE EDITORIAL REVIEW

VOL. VI.

APRIL, 1912

No. 4

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## THE PRESIDENTIAL OUTLOOK.

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OUR system of government being one of peace, partisan politics is a dominating force felt at all times, but the body of our citizenship is never stirred so deeply as when choice of the Chief Executive of the nation has to be made under the forms provided by the Constitution. The personal potency of a President over the destinies of a great people like the American people is so great that it behooves the electorate to consider the intellectual calibre and character of aspirants for the highest office in the land, so that a leader shall be chosen who is fitted for the performance of duties that call for efficiency of the highest standard.

This year there are probably more men of first-rate ability who are regarded as Presidential "timber" than ever before in the history of the nation. And there is every indication that the play of politics will be more than usually complex.

For this reason THE EDITORIAL REVIEW presents to its readers a symposium of character-sketches of those belonging to each of the great parties who are prominently before the public eye in connection with the forthcoming nominations for the presidential office. The personal abilities, characteristics, principles, and achievements in the career of these men are delineated in authoritative manner by friendly pens. Citizens, no matter what their political tenets and affiliations may be, can, by perusing these articles, form a well-considered judgment as to whether the possible nominees measure up to the standard of the presidential office.

The problems confronting the nation, both at home and abroad, are so complex and so vital to its future progress that there is imperative need of a Chief Executive who possesses breadth of view, prevision, and a grasp of large affairs, to guide the helm of state through troubled waters and into safe havens.

On the Republican side the fight is between the adherents of

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President Taft and those of former President Roosevelt, both claiming to be "Progressives," according to the definition each gives to that word.

On the Democratic side the Tariff is the *one* issue that transcends in importance all others, because, differing as the possible nominees may do on other subjects, they regard this as vitally affecting the well-being of the present generation and involving the future.

The choice of our next President can not but have the most far-reaching effect upon America's destinies—as meaning, in a word, progression or retrogression. It is for the people to decide through the means provided by the Constitution for the expression of the popular will.

The Nation awaits the decision.

THE EDITOR.

## Timely Topics

*The Renaissance of Agriculture in the United States*, by William C. Brown, is a thoughtful comparison of agricultural conditions in the earlier days of railroad development as contrasted with those of today. The opening up of new land in the far west has reduced values of land in New York, Pennsylvania and New England. A similar reduction in the value of land and of its products was felt in all parts of the world as railroad construction increased. Now, however, conditions in this country are the reverse of those in the earlier years. Mr. Brown, who is President of the New York Central Lines, one of the largest systems of transportation in the world, gives telling statistics showing the rise in prices of commodities during the last ten years. He calls attention to the favorable climatic and natural fertility conditions of the United States. A comparison that should arouse consideration is made between agricultural methods and cost of production here and in Great Britain, Germany, and other European countries. The writer urges the need for agricultural experiments of a scientific character and a campaign of education.

*Patriotism*, by William D. McNulty, is a thoughtful study of a subject in which the peoples of all nations are interested. Mr. McNulty traces the evolution of the true patriot from the disturbers and agitators who demonstrated their patriotism by bloodshed and he shows how the Reign of Terror during the French Revolution engendered a new spirit of liberty. A patriot became one who fully understood the meaning of the words that "all men were born with equal rights." In the founding of this Republic "Liberty, Equality and Fraternity" became a reality, and patriotic men rallied around Washington to frame the Constitution. Since then Americans have been always preëminently distinguished by a devoted interest in their country, a patriotism that finds expression in a variety of ways. This fact has largely influenced our political life, and contributed to the stability of our gov-

ernmental institutions and national ideals. The article is particularly timely, in view of the approaching national elections when party feeling will, as usual, run high, ours being a government of parties, but when there will be afforded a new opportunity for the exercise of the spirit of true patriotism.

*Why Taft Should Be Renominated*, by William B. McKinley, reviews the accomplishments of the present administration in such a way as to form a strong line of argument for the re-nomination of the President. Congressman McKinley in this article refers to some of the notable achievements gained under President Taft's lead. The appointment of a Tariff Board, reforms in the administration of the Government departments; the establishing of Postal Savings Banks; progress in the construction of the Panama Canal; admission of the new States of New Mexico and Arizona; the Treaty with Japan; Treaties with South American countries; the abrogation of the Treaty with Russia; the Arbitration Treaties with Great Britain and France; these are a few of the many achievements that in Mr. McKinley's judgment should place the stamp of public approval upon the present administration and entitle its chief to renomination, thus sounding the watchwords of peace, progress and prosperity.

*Why the Democratic Party Should Nominate Champ Clark for the Presidency*, by Lafayette Pence, enthusiastically sets forth the achievements of the Democratic leader and the reasons why he is the strongest candidate that could be nominated by his party. Mr. Pence traces his leadership since 1904 and shows that "The Democracy Despondent became the Democracy Militant, and in November, 1910, the Democracy Triumphant," largely owing to the speeches of Champ Clark, copies of which were circulated everywhere. His warning in 1910 that the real issue of the campaign was the high cost of living stirred the people, and resulted in the election of Democratic Governors in many States that were regarded as Republican strongholds. His fitness and availability for presidential office are second to none in the opinion of Mr. Pence, who believes that he would make a strong incumbent in the White House.

*Judson Harmon of Ohio — a Man of Deeds, not Words*, by Robert M. Dittey, is a forceful character sketch of a public man of nation-wide reputation and a potential possibility on the

Democratic side in the forthcoming presidential nominations. Mr. Dittey traces the successful career of Governor Harmon, showing that he has always hit out from the shoulder and attacked the guilty, no matter how highly prominent might be the persons involved. The following is a famous epigram of Governor Harmon's: "Guilt is always personal; so long as officials can hide behind their corporations no remedy can be effected. When the Government searches out the guilty man and makes corporate wrong-doing mean personal punishment and dishonor, the laws will be obeyed." Twice elected Governor of Ohio, he has transformed conditions in the State so that cases of betrayal of public trust have been greatly diminished. Progressive legislation has marked his administration, among other measures having been laws relating to taxation, public service commission, workmen's compensation, salary loans, and many other important subjects. As a Democratic candidate for President he would be certain of Ohio, and he is the only Democrat who, according to Mr. Dittey, could carry both Ohio and Indiana.

*Why the Nation Needs Theodore Roosevelt*, by Joseph M. Dixon, shows the preëminent claims of the former President to be again placed at the helm of State to grapple with the problems that confront the nation. Senator Dixon reviews some of the great achievements of Mr. Roosevelt during his seven years' incumbency and calls attention to the fact that under his successor there has been a lack of positive leadership and statesmanship that has resulted disastrously for the Republican party and produced "a condition of business bewilderment which has halted the prosperity of the whole country." This has given rise to a nation-wide demand for the nomination of Mr. Roosevelt, who in his notable speech at Columbus, Ohio, struck the keynote of the presidential contest. His record in the past leads Senator Dixon to believe that he will be nominated for President at the next Republican National Convention.

*Some Reasons Why Woodrow Wilson Should Be the Democratic Nominee*, by William F. McCombs, emphasizes the claims of Governor Wilson to consideration as a strong Presidential candidate. Mr. McCombs shows that the Governor has for a quarter of a century been a profound student of the problems of practical government and a prolific writer and speaker thereon. As President of Princeton University and as Governor of New

Jersey, he has consistently stood for true democracy. The experience gained in the presidency of that great institution of learning was a special preparation for official life and gave opportunity for evincing the extraordinary personality of the man. Mr. McCombs enumerates some of the legislative achievements of Woodrow Wilson as Governor; explains his methods in dealing with public questions; and concludes by expressing the belief that the Democratic party will "not neglect this splendid opportunity of elevating to the high office of the Presidency a real statesman and a great patriot."

*Why Oscar Underwood should be elected President*, by John H. Bankhead, lays emphasis upon the special qualifications and experience that make the present Floor Leader of the House of Representatives "Democracy's best asset." Tracing his career in Congress and analyzing his characteristics and abilities, Senator Bankhead enthusiastically sets forth what Congressman Underwood has achieved and is achieving for his party and the good of the nation. It is argued that as he is trusted as a leader in the making of laws, he can be equally trusted as Chief Executive to execute them, and that the same abilities needed in a leader of the law-making branch of the Government qualify him for Executive headship. Senator Bankhead concludes his article by saying that "every section of the country recognizes in Oscar Underwood that high character, civic virtue, wise and constructive statesmanship and blood patriotism which peculiarly fit him for the Executive Chair."

*The Theatrical Business of Today*, by Robert Grau, analyzes some of the causes of the great slump in Thespian affairs, especially in New York City. The chief cause is the growing popularity and the cheapness of moving picture theatres as compared with the regular theatrical houses. This has indeed led to the latter in many cases reverting to the camera in order to save the financial situation. The increasing number of high-class restaurants that provide entertainment for their patrons; "the intimate theatre" and the "theatre in the home" are all factors that seriously influence the theatrical business today and confront managers with new and startling problems.





**WILLIAM C. BROWN**

President of the New York Central Lines, was born in Herkimer County, New York, in 1853. Entered upon his railway career in 1869, serving in several advancing capacities until he reached his present commanding position. He is a director of many railroads.

## THE RENAISSANCE OF AGRICULTURE IN THE UNITED STATES.

BY WILLIAM C. BROWN.

FROM the earliest settlements on the Atlantic Coast until the last few years great areas of fertile land have been thrown open for preëmption by the homesteader, or offered for sale at very cheap prices and on long time payments by the western railroads.

Settlers were located by the thousands as railroads extended into the wilderness, and each new development was followed by an over-production of farm products of every kind which forced their price below the bare cost of production. Thus, corn sold in Iowa, Nebraska and Kansas for ten to twelve cents per bushel and was even burned for fuel because it was cheaper than wood or coal. The result of this opening up of new land in the far west was a ruinous collapse in values of farming land in New York, Pennsylvania and New England.

Not alone in the United States were these conditions making themselves felt but railroads were being built in India, Australia, New Zealand, Russia and Argentina, and cheap land and its products competed in every market on the globe.

But present conditions in the United States are the exact reverse of those of earlier years. Consumption is overtaking production with alarming rapidity, values are rising by leaps and bounds—the market is unlimited at liberal and steadily advancing prices—and increased consumption can not now be provided for by increased acreage.

During the past ten years the price of all commodities, including farm products, has increased 23%; but separating the products of agriculture from all the rest, it will be found that these products have increased 87%. During the same period acreage devoted to agriculture increased 23%, production increased 36%, consumption 60%.



The area planted with corn shows an increase of three and one-half million acres in 1909 compared with 1899, but in value the increase amounted to more than six hundred million dollars, the average increase in price per bushel being twenty-five cents, or 80%.

With an increase of twenty-five million bushels in the wheat crop for the same year, the average price was forty cents a bushel higher than ten years earlier, an increase of 71%.

Notwithstanding the use of millions of horseless vehicles, the number of horses owned in the United States increased nearly one and one-half million in 1910 compared with 1900, while the value increased twelve hundred million dollars, an average increase in the value per horse of 131%.

No country in the world excels the United States in natural fertility of the soil, or has a more favorable climate; but with careless, uninformed methods of seed selection, fertilization and cultivation the farms of this country produce an annual yield of 14 bushels of wheat per acre compared with 29 bushels in Germany and 33 bushels in the United Kingdom; and 29 bushels of oats per acre in contrast to 45 bushels in the United Kingdom and 51 bushels per acre in Germany.

At the same time there is much land in the eastern states, particularly in New York, which, as a result of neglect and misuse, can be bought in many instances for less than the cost of the buildings and improvements alone, some of it as low as \$20 per acre. This land is within easy access of the important markets furnished by the large eastern centres of population, and is worth one hundred dollars per acre to build up and replenish. In the earlier days, when new land could be had almost for the asking, there was little incentive to fertilize and maintain the soil by the use of commercial fertilizers; but as the public domain has practically become exhausted and the price of agricultural products has mounted steadily upward, these expenditures will now pay a hundred-fold.

Every experiment, wherever tried, looking to better methods, more care in the selection of seed, scientific drainage, more intelligent fertilization, and more thorough cultivation, demonstrates beyond the shadow of doubt that the average yield per acre of the Nation's farms can easily be doubled.

The first requisite in the vitally necessary campaign of education is a thorough awakening of our people to a realization of

their own opportunities and possibilities; then systematic, persevering work for better methods.

The General Government should give it first place among the questions pressing for consideration. Money should be provided liberally and expended honestly and intelligently.

Every scheme for the reclamation of arid land by the Government should be pushed to completion; and land susceptible of cultivation, either by irrigation or without it, that is included in forest reserves, should at once be made available for settlement under such conditions as will insure prompt, intelligent and continuous cultivation.

Each state should take similar action, and the work should be taken up by Boards of Trade, Chambers of Commerce and other public associations.

Railroads are coöperating with the state agricultural colleges and with other institutions having departments of agriculture, in arranging for meetings of farmers in villages and country school houses, for the purpose of preaching this great gospel of better methods, which also means more profitable farming. This work should be continued and extended.

Experimental farms should be established in every county of every state, where the most modern methods of fertilization and cultivation and the results of such methods can be demonstrated; where every farmer in the country can *see exactly how it is done*, instead of being told in books or by lectures how it can be done.

No choice remains between the expense and work of maintaining the fertility of the soil in the older states, or of opening up and cultivating rich virgin soil in the west, because practically all of the unoccupied land in the west is gone.

There is no alternative: Production must be increased by intelligent methods, or we shall face the relentless certain coming of the day when we shall not produce food enough to supply our own necessities.

The imagination can conceive of no higher duty, no broader patriotism or more far-reaching, comprehensive philanthropy than to take part in this vitally important work of improved agriculture.



# Editorial

## INCREASING THE AGRICULTURAL YIELD.

*(Mexican Herald.)*

NOTICING, the other day, the annual Report of the United States Secretary of Agriculture, we stated, on the authority of that Report, that while the total value of farm products in the northern republic in 1911 had been \$8,417,000,000, the value of the agricultural production in Italy in 1910 was, according to a rough but official estimate, about \$1,351,000,000, less than one-sixth of the production in the United States in 1911—and in Italy, it must be remembered, the soil has been cultivated with proverbial care and skill from time immemorial.

In reality, however, the comparison is most creditable to Italy, seeing that Italy is a much smaller country than the United States. The land area of the continental United States, exclusive of Alaska, is given as 2,974,159 square miles, whereas the total area of Italy, with Sicily, Sardinia and the other islands is 110,659 square miles, less than one-twentieth of the area of the United States. The population of the United States is still relatively sparse and no necessity so far has been felt for intensive cultivation. When the soil of the United States has to support a larger population, it will be made to yield more per acre, just as is the case in Europe. Italy, for example, is so densely populated that advantage has to be taken of every square foot of arable land. The population of the continental United States is little more than 30 per square miles, while the population of Italy is 312 per square mile.

Nevertheless, a movement in favor of more careful farming is already on foot in the United States. One of the leaders of the movement is Howard H. Gross, president of the National Soil Fertility League, who, in a recent discussion of the subject, declares that American agricultural methods have been wasteful. He advocates the taking up of worn, depleted farms in the East

and Southeast, that are close to the best markets, and which years ago were abandoned for the sake of the larger opportunities in the great West. Now the land in the West is practically all occupied and the opportunities for young or middle-aged men with brains and industry are to be found in the older sections. By improved tillage, better seed, crop rotation and fertilization the discarded eastern farms will respond with substantial yields and may be made better and better from year to year. Scientific agriculture and good roads will be the two contributing factors.

Comparing average yields in Europe and the United States, Mr. Gross says:

"Figures taken from official sources will be interesting in this connection. The average wheat yield for the United States for ten years is a little over 14 bushels an acre, while in Europe upon lands that were in cultivation many centuries before our sod was turned the wheat averages are 28 bushels in Germany, 32 in England, 40 in Denmark. It is not uncommon to have yields of 60 bushels or more in France and Italy. Why? Simply because of better preparation of the seed bed, more perfect drainage, more careful seed selection, deep tilling and fertilization.

"About twenty-five years ago Germany began a system to further build up her agriculture and since that time she has raised the average yield on the six principal crops about 35 per cent. It is now fully twice our average."

The large European yields can easily be duplicated and surpassed in the United States when the necessity arises. This is clearly proved by results obtained in the United States experiment stations.

James J. Hill and William C. Brown, heads of two great railroads, declare that the present farm yield in the United States, without any extension of acreage, can be doubled, with very little extra work or expense.

Everything that is done for the improvement of the farming industry has an importance far out of proportion to the mere material results. The cultivation of the soil and pastoral pursuits were the aboriginal occupation of man as soon as he began to form organized communities and they still produce the sturdiest race of men, physically and morally.

To improve a country's agriculture, then, is to invigorate the national type, to encourage the national virtues, to safeguard the national integrity.

## PATRIOTISM.

BY WILLIAM D. McNULTY.

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At the present time, when the minds of men are disturbed with the grave problems of the social, financial and political world, and with the prospect of a great political contest close at hand, all the patriotic activity of those who have the welfare of their country at heart is needed.

The patriotism of too many people consists in talking a great deal about what those in office ought to do.

It is in the power of every one of us to inculcate a true patriotic understanding in the minds of those with whom we associate, and to set them an example of disinterested loyalty to our institutions, of respect for our administrators, and of sincerity in our political beliefs.

The needs of our country today are very different to what they were a hundred years ago. Then the patriotic warrior went forth to the battle to fight for liberty, now the patriotic citizen must direct his energies to the preserving of peace and order, by doing his share, as far as in him lies, toward influencing and instructing others, pointing out the evils to be avoided and urging the election to power of such men as will worthily fill their offices.

In what does this patriotism, of which we hear so much, really consist? We know that some such quality has been distinctive of mankind, since the first families were formed, and we see that it has gradually developed, from loyalty to the immediate kin, to the broader feeling which embraces an entire race or nation.

Throughout the history of the human race there has always predominated one certain sentiment in the hearts of all the peoples. To this sentiment the individual interests have been secondary. In some early cases the tribe was the object of this



### **WILLIAM D. McNULTY**

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1901

sentiment, and for providing of its necessities, the furtherance of its power, or the fame of its greatness, every member deemed himself happy to sacrifice all natural affections, his comfort, his possessions, and even his life.

Again we find that some special locality, hallowed by the sacred associations of religion, is the object of the enthusiastic devotion of a whole nation. Such was Jerusalem to the Jews; such is Mecca to the Moslems.

With the Greeks, pride of city made all who dwelt therein of one heart and of one mind in the heightening of its glories, the promoting of its welfare, and the perfecting of its beauties. All the life and thought of the entire nation was concentrated upon this one object, and with the development of the city the records of Greek civilization begin and end.

The Romans centered their attachment on a certain leader, whom they would follow blindly to destruction and death. If their leader failed them, or was overcome, or killed, their enthusiasm vanished, and they laid down their arms. They fought, not for Rome, but for a Caesar, a Pompey, or a Marc Antony.

In the Middle Ages, we find this sentiment transferred to a feudal lord, and in this case the sentiment was hereditary. As the serfs belonged to the soil, and passed with it to the inheritors of the domain, so did the devotion of these people for the lord of the land, descend from father to son through the generations. This was the foundation of that pride of ancestry so noticeable in England, and in all the countries of Europe, and which is just as strong in the peasantry of many districts as it is in the nobility.

With the passing of the feudal system, the loyalty and the services of all classes were bestowed upon the monarch, but there still remained, irradiated in the hearts of the people, that attachment to a certain portion of land which had been the dwelling place of their forefathers. This was frequently a cause of discussion between neighboring states, or between a ruler and his subjects, regarding boundaries, extensions, encroachments, or rights abused, and here we find the sentiments of the people were not for a sovereign, or for a lord, but for their own soil, and the privileges attached thereunto. This was the beginning of what we now call "patriotism," from the Latin "*patria*," country, or fatherland.

The term patriot came into common use—and misuse—at the



time of the French Revolution, when it was the distinguishing title of those loyal citizens who swept through the streets of Paris, their hands laved in the blood of innocent persons, of the gentle born because they were gentle born, and of the peasant born for the crime of having served the gentle born. He who shed the most blood, and clamored the loudest for that Liberty, Equality, and Fraternity, of which he had no notion, was the greatest patriot. It is not in the least surprising, therefore, that after the Revolution, the word fell into disfavor in Europe, and those who spoke too freely of their patriotism, or who were designated as patriots by their over zealous friends, were looked upon with suspicion.

By degrees, however, as the true patriot emerged from the chaotic mass of disturbers and agitators, and rendered service of lasting benefit, not only to his own race, but to humanity at large, the name assumed its proper meaning. Out of the ashes of the Reign of Terror a new Spirit of Liberty arose, and a Patriot, who fully understood the meaning of the words that "all men were born with equal rights," devoted himself heart and soul to the securing of those rights for his countrymen, and won.

There is no doubt that many persons, mindful of the things that had happened in France, suspected that Washington might be working for self glory, that he was even aspiring to a crown. Washington was neither a boaster nor a clamorer. He worked quietly, but surely, for the freedom of his country. He had a natural horror of bloodshed, and no more humane warrior ever trod a battleground. His sword and his life were at the service of his country, and his actions, after the freedom for which he fought had been secured, shed a new glory on the name of patriot. In the new Republic, then, for the first time, the Liberty, Equality, and Fraternity, that had been made a by-word by the French rabble, became a reality, and men with a true patriotic sentiment in their hearts, with no thought of private gain, no thirst for power, no aspirations for glory, rallied around the patriot, Washington, and with him framed the Constitution. And it is this great instrument that has been the secret of the marvellous prosperity of our nation from that day to this.

As there are many kinds of patriots, it is sometimes difficult to separate the true from the false, the sincere from the self-interested, the honest from the dishonest. The man who takes

up arms in his country's cause, who returns victorious or falls as a hero, and whose name is carved on marble for the admiration of posterity, is certainly one of the most glorious of patriots, and as such is honored. Whatever faults may have been his are obliterated by the words, "He died for his country."

It is not given to all men to serve their country in this manner. Happily there are other means of showing patriotism which, if faithfully adhered to, can accomplish even more lasting benefits than does the death of a soldier.

Today the man who rightly performs his public duty, and who is determined to uphold the established laws, and shows proper respect to those in authority, and inspires it in others; who, in casting his vote looks, not to his friend, nor to him from whom favors may be expected, but to the man who is fitted, by his honesty of purpose, his patriotism, and his abilities, to fill the position for the greater good of the community; the man who, in seeking political service himself, sees only the responsibilities and the exigencies of the office, and not any personal gain or honor that may be derived from it; and who insists upon the strict observance of the law, instead of trying to change or evade it; the man who directs his efforts to seeing to it that law is dispensed by judges who are just, who are elected for their integrity, their impartiality, their imperviousness to bribes, their indifference to wealth, their thorough knowledge of the law, and the purity of their lives, is a patriot, and serves his country just as surely as does the hero of the battlefield.

The safety, stability, and welfare of the nation, depend on an orderly and well-administered government. In order that the lives, the liberty, and the happiness of the people may be secure, the institution of our government should be inviolable. While certain changes are continually developing, owing to the rapid growth of the nation, the country itself, and the general conditions are radically the same today as they were when our forefathers, after careful consideration of the forms of government of all the great nations, formed this government for us. So solidly did they lay the foundations that they have withstood successfully every test and every strain brought to bear upon them, not only from without, but also from within, including that of a civil war, which must be conceded to be the greatest strain that can be placed upon any government.

We have been prosperous. We have steadily increased in

wealth. We have progressed in all the arts and sciences that tend to the comfort, the health, and the culture of our people. We have become great among the nations, and have startled the Old World with our rapid growth. And all this has happened under the constitution as it now stands, and as our forerunners made it for us.

But what assurance is there that this condition will always be ours?

We have before us the example of great nations of the past, and we know that indifference, personal ambition, greed, love of ease, and laxity in the observance of the law, have been the chief instruments in the decay of the mightiest powers the world has ever known.

A wave of unrest is now disturbing the minds of men generally, and is manifesting itself in a desire for a change in the fundamentals of government. The same feeling was noticeable throughout the civilized world about sixty years ago.

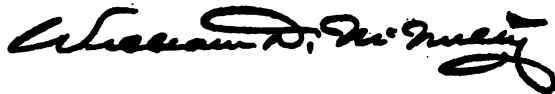
Now, as then, there must be concession to the sincere and patriotic men who see danger to the country in the aggressions of organized wealth and its influence in all departments of government. It is not enough to say to these men that a remedy is vicious and unconstitutional and revolutionary, though it be all of these things, when no other remedy is offered. Is it not better to suggest a remedy for the evils that all men recognize. These men demand more capable and impartial administrators, and this object may be attained by simplifying the machinery of government, thus making those chosen to office more truly representative.

It should not be forgotten by those men who now seek a change in the fundamental law on which our government rests, that while a change may be for the better it is just possible that it might be for the worse.

Ours is a government of parties, and every individual should meet his share of the obligations which, as a citizen, are his, by interesting himself in a political organization, and exercising any power he may possess of education, experience and political knowledge, to influence those with whom he comes in frequent contact, and in combating those forces which might tend to undermine the Government, by instilling in his associates a higher respect for those in high office and a deeper sense of loyalty to the common weal.

Our government has been built up by the sacrifice of many lives, and to preserve this institution, to guard its system of laws and order, for those who are to come after us, is the first duty of every patriot. The discontent that is continually affecting other governments, causing revolutions and seditions, should in no wise influence us. This country can boast of a happy, contented, law-abiding population, whose prosperity will undoubtedly continue and increase, as the development of the country grows.

The approaching national election promises to provide a contest more bitter than that of any previous election of this kind, but, as our people are noted for their fairness and good sense, we may feel assured that those who have the good of their country at heart—and they are many—will not allow party strife, party prejudices, and party politics, to overshadow that quality which is so characteristic of our great nation, the Spirit of Patriotism.

A handwritten signature in cursive script, reading "William D. McInerney". The signature is written in dark ink and is centered below the main text.

# Editorial

## THE CIVIC DUTY OF THE ORDINARY CITIZEN.

*(Dallas Morning News.)*

ONE of the greatest impediments to good government in this country is the failure of the ordinary citizen to coöperate with those who are chosen to direct the government, to assist them in those innumerable ways that constantly offer themselves. This is true with respect to national, state and municipal governments, but true in a higher degree with respect to municipal than to the two other governments, for the reason that the national and state governments are better able to exercise their powers of compulsion, and can thus more effectually constrain the citizen into giving that coöperation which ought to spring spontaneously from his sense of civic duty. The social compact is, in ordinary times, a weak bond. In crises, or even in emergencies that rise much short of the level of a crisis, we fall into close and disciplined phalanx, with the result that, although those occasion more formidable obstacles and more complex difficulties than are usually encountered by those who have the responsibility of directing, they are able to discharge their duties with more efficiency and with more ease. The burden is increased many fold, but so is their strength from the aid given them by a united citizenship that for the moment makes itself amenable to their direction. It is the difference between operating with a disciplined body of men and with a mob crudely organized.

To give a homely but cogent illustration of both the fact and its consequence, there are few recreances in municipal government that excite more indignant complaint on the part of the ordinary citizen of a municipality than the failure of the officials to keep at least the business streets clean, and yet there is no task of municipal government toward the performance of which the ordinary citizen could contribute more and does contribute

less. The complaint of the ordinary citizen because of unclean streets is equaled only by his contribution to their uncleanness. Sanitary ordinances he obeys grudgingly, complaining all the time of the failure of the officials to keep the city in a sanitary condition.

We have cited this instance, a homely one, to be sure, merely as an illustration; the principle of it is of universal application, runs like a huge flaw through every relation of citizenship. The social sense is stunted, the feeling of obligation to assist in an active way in the enforcement of laws is well-nigh absent. The community of interest which we have and must have in the efficient discharge of governmental functions is but vaguely felt except in times of stress. Ours is a censorious citizenship. Never anything goes amiss, never any recreance or blundering that there is not a unisoned and full-throated growl of protest. We cry out against the weakness of those in authority, while their fault is apt to be largely the fault of lacking the super-human strength to overcome an immense mass of inert and resistant citizenship. Even if everyone were inspired with a perfect patriotism and a perfect wisdom, the time will never come when we may hope to drop a ballot in the slot and get good government with automatic certainty. Much of the inefficiency and much of the mismanagement which are so much decried in those we put in authority is, in reality, the inefficiency of citizenship. We have made infinitely more progress in the art of governing than in the art of being governed. Between our precepts and our practices there is the paradox of demanding much that we will submit to only with reluctance.

With us the phrase "self-government" signifies little more than the right to vote in the election of officers; the idea, which makes the real meaning of the phrase, that self-government obligates us to accommodate ourselves and our conduct to laws and institutions, only slumbers even in those minds where it is existent at all. In our vanity we conceive of self-government as a privilege which distinguishes us somewhat from most peoples of the earth; the notion that it entails a duty as much above that which rests on people who are not self-governed as our privilege exceeds theirs, remains to be cultivated in the mind of the ordinary citizen. He speaks of public officers as "public servants," acting meanwhile as if it were his prerogative to test their strength by resisting them in little ways that do not

incur a fine or a jail sentence. The compliance we make to laws and institutions is mostly of that grudging kind which is prompted by the fear of their penalties and power, and thus they and their administrators have to overcome an immense dead weight before they can accomplish anything beyond negative results. There is not only a passive quality to our citizenship, but a reluctant quality, whereas it ought to be an active citizenship, animated by a sense of civic kinship.

It is this dead weight, and often this resistance, that has to be overcome that operates more than anything else to retard our political and social progress. The lubricant for all governmental machinery must be the spirit of coöperation among the citizens who set up that machinery. As that is abundant or meager, the machinery will be efficient or inefficient, and this very largely regardless of the strength and wisdom of the men who are put in immediate charge of the machinery. To revert to the homely illustration, if every resident of a city should resolve that he himself will not for a month make any unnecessary addition to its litter, the sanitary force which would thus be generated would be ten times that which the city can employ, and there would be a metamorphosis that would amaze. What we need above all else in this country is an enlarged and quickened sense of the individual's civic duty and responsibility.







### **WILLIAM B. McKINLEY**

Director of the National Taft Bureau, is Member of Congress from the Nineteenth District of Illinois. Was born in Petersburg, Ill., on September 5, 1856. Is a prominent banker, and a trustee of the University of Illinois, where he was educated.

## WHY TAFT SHOULD BE RENOMINATED.

BY WILLIAM B. MCKINLEY.

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BECAUSE all our Presidents and a large majority of the people have always been, and are still, opposed to a third term, it becomes almost imperative that we give a second term to a President unless there are good reasons why he should not be re-nominated, and no one has yet given, nor will any one be able to give, a single valid reason why Mr. Taft should not be re-nominated and reëlected. When it comes to an enumeration of the reasons why Mr. Taft should again be the candidate, a statement of his record as President, an analysis of his acts and his endeavors should, and I believe will, convince the delegates at Chicago in June and the voters in November, that he is the best man to continue the work of the Republican party in building up our nation and safeguarding the welfare of the people.

Some individuals seem to have a mistaken idea of the duties and functions of our Chief Magistrate. He does not make laws, but he should faithfully execute those that are enacted and he should recommend new legislation to meet the requirements of the times.

Mr. Taft has been a conscientious, faithful Executive, devoted at all times to the best interests of all the people. In an honest endeavor to carry out the provisions of an imperfect statute, he can in nowise be blamed for a doubtful or unsatisfactory result. The fault lies with Congress, not with the President. In the execution of the so-called Sherman Anti-Trust Law, Mr. Taft and his Attorney-General have simply done their duty, and have done it so well that the number of prosecutions either completed or pending are far in excess of that of any previous administration. He has not injured nor tried to injure any legitimate business. Not a single honest man or concern has had or

will have any fear of President Taft or any department of the Government.

Among the duties of first importance that the President is called upon to assume and to continue throughout his administration, is the matter of appointments. Here the record of Mr. Taft will compare most favorably with that of any of his predecessors. Not since Washington organized the first Supreme Court has a President been called upon to make so many appointments to that great tribunal, and no one will question for a moment that Mr. Taft has regarded these appointments as the most sacred duty which he has been called upon to perform. He has already appointed a majority of the present Court and promoted an Associate Justice to the Chief Justiceship. For many years, therefore, the effect of Mr. Taft's judgment in these appointments will be felt in the life of our nation and, I believe, wholly for its continued betterment. Long and careful thought has the President given to his selection of each Justice appointed to the Supreme Court, and in his final choice he has aimed simply to name the best man, regardless of party, or section, or religion, or previous affiliation. But besides these appointments to the Supreme Court the President has had the naming of the members of two entirely new courts and also the usual appointments to the Federal courts throughout the country, and in these appointments he has exercised the same judicial deliberation and independence as in the case of the higher court. Of all the reasons why Mr. Taft should be renominated and reëlected I can think of no more potent one than that the judicial appointments of the country will always be quite safe in his hands.

During the two terms of President Roosevelt the tariff question did not become an important matter of executive or legislative concern. The platform, however, adopted at the Convention which named Mr. Taft, declared for a revision of the tariff by a special session of Congress following the inauguration of the next President. In keeping with this pledge the extra session was called by Mr. Taft and enacted the so-called Payne tariff law, which was framed and passed after the most exhaustive hearings ever known in the history of any tariff bill, after unlimited debate, and after the inevitable compromise that must always come in finally securing a conference measure that will pass both Houses of Congress. It was a protective measure, a Republican measure, a measure passed by a Republican majority

in both Houses, and while, as is always the case, no one was fully satisfied with it, and while it did not meet the views of the President in all particulars, yet he did not hesitate to sign it, and to declare it to be the best law possible to obtain at that time.

The tariff question, however, was not laid to rest and is still a subject of constant agitation and irritation. Mr. Taft, with his keen judgment and foresight, saw that the subject is a broad one and that it is bound to be a matter of controversy for years to come, as it always has been in the past; and to the end that future legislation might be based upon a scientific investigation of all phases of the subject, he recommended, fought for, and obtained a non-partisan Tariff Board that should impartially collect and record every obtainable fact bearing upon the bases for attempted tariff enactment. The Republican platform declared, and all Republicans agree, that the measure of protection should at least equalize the cost of production at home and abroad. To ascertain this measure of difference the Tariff Board set to work, an appropriation of \$250,000 was made, two or three reports have already been completed and so well has the work been done by the Board that it has gained the admiration of even its severest critics. Never in our history was presented to both Houses of Congress for their consideration such comprehensive facts in every detail as was given in the report of the Tariff Board on Schedule "K." Other reports are to follow, and in the future, if Mr. Taft is renominated and reëlected and with him a Republican Congress, the people may be sure that all tariff legislation will be the outcome of scientific research, and based upon the widest impartial knowledge that can be obtained at home and abroad concerning our varied industries. It may be added that if any of the bills passed by the extra session, and *vetoed* by the President, had been enacted into law, the industries concerned would have been most severely crippled, if not entirely destroyed. If the so-called Steel bill which passed the House of Representatives during the present session should become a law in its present form, it will most severely injure that great industry and transfer much of its present production to foreign countries, throwing out of employment or reducing most substantially the wages of thousands of men.

It is within the memory of many that under the operation of the last Democratic tariff law our industries were almost ruined,

our people were idle, and distress and poverty stalked throughout the land for several years; and yet that law which brought such dire results was conservative indeed as compared with the radical legislation which the Democratic programme of today proposes to give us.

Mr. Taft, without any ostentation or undue publicity, insisted that the various departments of the Government should be administered with the greatest possible economy and efficiency; and, without any reflection whatever upon any previous administration, it can be said, that not in the history of our Government have its affairs been administered with such efficiency and economy as during the three years of this administration. Every department of the Government has shown improvements, and Mr. Taft and his friends can be particularly proud of the fact that the annual deficit of the Post Office Department which has reached as high as \$17,000,000 has been turned into a surplus. At a comparatively moderate expenditure too, has been conducted the 13th Census on a wider scale than ever before. It may be that Democratic parsimony may yet cripple this great work, but, so far as has been possible, it has been done better and at a less comparative cost than ever before. Millions of dollars have been saved to the people in the various departments, better service has been rendered, and if Mr. Taft continues in office and if his recommendations are adopted, our Government will maintain a high mark of efficiency at the lowest possible cost.

Under Mr. Taft's administration have been established postal savings banks which are already such a general success that they need here nothing more than a mere mention.

While the Panama Canal was begun under a previous administration, yet Mr. Taft has, both as Secretary of War in that administration and since as President, made it a matter of personal investigation and solicitude, advancing the work with all possible speed and care; and it is to be hoped that at the opening of the Grand Canal of America, in the near future, he who has done so much toward its perfect completion may be the present Chief Executive, to join with a proud people in the celebration of this great and magnificent work.

Under President Taft have been admitted the new States of New Mexico and Arizona. Under President Taft the treaty with Japan has been negotiated, bringing us in closer relationship and friendship with that sturdy little nation. Treaties with

southern countries have also been negotiated and now await action by the Senate, but of all the treaties which have been successfully negotiated, or which are pending, those which will add perhaps the greatest luster to all the accomplishments of the Taft Administration, are the Arbitration Treaties with Great Britain and France, notwithstanding the recent action of the Senate amending them, and similar negotiations on the same lines which are now going on with other Powers. This is the greatest advance toward universal peace that has been made since the formation of the Government, and should international disarmament, which now seems but a dream, become a realization, and should all forms of war give way to arbitrated forms of peace, then the historians of the future will have to grant to President Taft the initiative of the actual negotiations which led to such happy, permanent results.

Perhaps in no instance has Mr. Taft shown his responsibility, his diplomacy and the exercise of his always judicial temperament in greater measure than when the Democratic House threatened to involve us with Russia in a too hasty abrogation of the so-called passport treaty. The President insisted that it should be done with due regard for the courtesies between nations and though it was finally accomplished positively and firmly, yet it was done in a manner to which not even Russia herself could make objection. With the same tact and diplomacy has President Taft dealt with the so-called Mexican question. He has simply seen to it that we were prepared for action if action should become necessary, without our being unduly involved where life and property might be endangered. The President has also, by his good offices, been successful in maintaining peace in Cuba without friction or strife.

Although without the deserved credit, Mr. Taft has provided, as far as lay in his power, for the attainment of various conservation policies. Sentiment in this direction was aroused by his predecessor; but legislation was demanded, and Mr. Taft has recommended a definite programme and policy. In short, as we look over the acts and endeavors of President Taft we may truly say that in every department of the Government, in every phase of legislation both enacted and proposed, in every departure of our national existence made necessary by any changed conditions, Mr. Taft has been at all times the most progressive leader that we have had in public life since the Constitution was adopted and a Gov-

ernment established. He has not brought about the impossible, he has not accomplished as much as he would have, had the present House of Representatives been Republican. We are on the eve of a presidential campaign where the opposing party will, from political reasons, do all in its power to embarrass the Chief Executive; but Mr. Taft has gone on unflinchingly, and has already sent to Congress most important messages during the present session, which have been and will probably continue to be entirely ignored by the Democratic majority in the House.

Mr. Taft has a broad mind and a clean conscience and a large heart—with a firm courage back of all. If he has made mistakes he has the courage to acknowledge them and to profit by experience. In fact, President Taft believes in and practices the good that comes from experience, not experiment. He believes in his country and countrymen. He believes in the Constitution. He preaches law and order, justice and peace, and he always practices by act and endeavor what he preaches.

Mr. Taft has been and would continue to be a safe President—safe in time of trouble whether it be foreign or domestic, civil or industrial. He has been and would continue to be the President and the Servant of the whole people, regardless of section, race, or party. At a great personal discomfort and inconvenience he has gone among the people of nearly every State, has silently listened to their petitions, and has tried, as far as in him lay, to respond to every want. No honest individual, no honest firm, no honest corporation need fear that its business will be in any way jeopardized by any act of President Taft's but he will continue to enforce the law against the malefactor, whether it be an attempt to defraud through the mails, or to create and maintain an oppressive monopoly in trade. He will uphold Republican policies and American institutions. He will not sign any bill that will deprive an American laborer of a day's work or rob the market of a single American farmer. He believes in adequate protection to every American industry, and he will oppose any duty that tends to create or maintain a situation in production or price making unjust either to the consumer or to the would-be competitor.

Mr. Taft has particularly at heart the welfare of labor in all branches of industry. Not only would he give the workers of our country every opportunity to earn a livelihood and maintain a high standard of living, but he would surround them with every appliance of safety and sanitation that would contribute to their

well-being, comfort and efficiency. This was emphasized by his recent message advocating compensation for injuries.

Mr. Taft has made a great President. He has had most perplexing problems to solve, most difficult tasks to perform. He has met every situation with calmness and serenity unusual with a man of affairs; he has exhibited a patience and courage almost superhuman; and he has gained the respect and admiration not only of the people of our own country but also of all nations.

We can make no mistake in renominating and reëlecting President Taft. Around his standard every Republican and many Democrats can rally, sinking for the time minor differences in regard to detail, and advocating without stint the great Republican policies that have made our people the first on earth.

Peace—progress—prosperity—will be the watchwords; and under the continued progressive leadership of our wise, experienced, honest, sincere President, we shall continue to lead the nations of the earth in every phase of human activity and endeavor.

Wm. B. Martiney



# Editorial

## REPUBLICANS FOR TAFT.

*(Wilmington Evening Journal.)*

REPUBLICAN sentiment in Delaware is overwhelmingly in favor of the renomination and reëlection of President Taft. In fairness to Colonel Theodore Roosevelt, however, it must be admitted there is some sentiment in his favor. It is so slight at this time, however, as to be practically negligible. The great body of the Republican electorate is in favor of Taft. Therefore it seems to be a foregone conclusion that the Republican State Convention, guided by the will of that electorate, will send to the National Convention delegates favorable to Taft.

It also may be said that the Taft sentiment here is not confined to Republicans. There are many independent Democrats who have become tired of the incompetency and unwisdom of their National and State leaders and the policies they represent. Those independents have been impressed profoundly by the ability and the dignity President Taft has displayed as the nation's Chief Executive. Nine out of ten of the independents express themselves in favor of President Taft.

Nor can it be denied successfully that President Taft has done many things that commend him to the American people. He has thrown about the highest office in the land that dignity that properly belongs to it and that at times has been sacrificed that the incumbent might make plays to the gallery in unseemly efforts to popularize himself personally at the expense of the office. Of President Taft's administration it may be said it has been progressive in the best and truest sense. The establishment of postal savings banks, the earnest advocacy of the parcels post and the substitution of scientific tariff revision for the give-and-take and haphazard system of former years without sacrificing the beneficent protective principle embodied in our

tariff policy, show that the President has been keenly alive to the drift of sentiment and to the public demand.

For the protection of mine labor, he and the men who are supporting his policies have created the Bureau of Mines. The movements for proper employers' liability laws, a workmen's compensation act and additional safety appliances on railroads have found in the President a wise and earnest friend.

Everybody admits that the improvement of the rivers and harbors of this country is one of the most important duties of a Federal administration, no matter whether it be Republican or Democratic. In dealing with that duty, President Taft has substituted business principles for the old "pork-barrel" and log-rolling policies that had prevailed in some previous administrations. The result has been that rivers and harbors that are deserving have received appropriations, or are under favorable consideration for appropriations to be made as soon as the condition of the Federal treasury shall warrant such expenditures.

President Taft also has secured the enactment of a corporation tax law that will yield a revenue of \$30,000,000 a year and obtained legislation for the submission of a constitutional amendment authorizing a Federal income tax.

The President has upheld constantly the dignity and authority of the courts. He also has appointed to judicial office men of the highest type and the broadest sympathies. Under his administration there has been an era of calm but vigorous enforcement of existing law. His executive administration has been efficient, vigorous and fruitful. He has promoted international peace, and at the same time protected vigorously the international interests of the United States. The treaties providing for arbitration instead of war that have been negotiated with Great Britain and France; the way in which the difficult and dangerous situation on the Mexican border has been handled; the satisfactory culmination of diplomatic negotiation with Japan; the treaties looking to peace and order in Honduras and Nicaragua; the friendly warning that has brought peace to troubled Cuba, and the vigorous steps taken to protect the interests of naturalized American citizens in Russia, all go to show that while President Taft may lack the sensationalism that has characterized some men who have preceded him in the high and dignified office he holds, his work has been none the less effective.

## WHY THE DEMOCRATIC PARTY SHOULD NOMINATE CHAMP CLARK FOR THE PRESIDENCY.

BY LAFAYETTE PENCE.

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It is not strange that Speaker Clark is very generally regarded as the strongest candidate the Democracy could nominate. Compared with all commanders and leaders, he is naturally now as strong relatively as was Grant in 1864, when compared with other federal officers. He has fought the long fight. He has already won not only battles but a war,—the war of 1910. He was the issue of 1910, not in his home district, not in Missouri, but in every Congressional District in the Republic. He has already carried the country. Only one other Democrat since the Civil War has done that. His strength has been demonstrated in exactly the states that are necessary to make up the majority in the electoral college. He is not weaker now than in 1910. He is stronger, much stronger, in the estimate of all thoughtful people. This is no guess. Each special election since 1910 has demonstrated it. Under his leadership the Democratic party is again recognized and known as the constructive party, the party that builds and makes and does. When minority leader in the 61st Congress he led his party out into the open and pledged its sacred word to the sovereign people that if trusted with power it would accomplish, so far as it could, certain changes and reforms. The people believed him. They elected him and his majority in the House, and within sixty days after the special session began every promise had been redeemed.

His party leadership is a most interesting study. After the campaign of 1904 we had left but one Democratic Governor north of Mason's and Dixon's line,—Johnson of Minnesota. We did not have the control of a single branch of a single state legislature north of Mason and Dixon's line. We had but a petty dozen or two of Congressmen from districts north of Mason and Dixon's



### LAFAYETTE PENCE

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line. By 1908 the conditions were somewhat improved. We had a few more Congressmen. We had better strength in some northern state legislatures and had increased the number of Democratic Governors, notably in Governor Burke, of North Dakota; Shafroth, of Colorado; Marshall, of Indiana, and Harmon in Ohio. That year, 1908, was elected the 61st Congress and Clark became our minority leader there. He was different from any leader we have had. He had a more humble origin in life. His boyhood and young manhood tasks had been harder and more like those of the average struggling man. He had read as much as any of them and he forgot nothing. His mind was as well stored and maybe his heart was a little warmer. Be that as it may, he gave thought to those states where wages and pay rolls and smoke stacks are of first consideration, and impressed his ideas upon his followers, and lo and behold, we had a new leadership. He could not equal Mr. Bailey in discussing a constitutional question, but nobody on earth can do that. He could not discuss a finely drawn parliamentary question with the unexampled mastery of Mr. Richardson, nor could he wield the rapier of keen personal controversy in debate as could Mr. Williams, but he could do what none of these leaders could do. He could wield the battle axe of hard, strong, persistent, consistent debate, thoughtful of the north country as well as the south country, and he did wield until he chopped his way through the solid ranks of the enemy and made his party respectable and himself great.

The people have not forgotten his magnificent cross examination of the witnesses before the Ways and Means Committee when Mr. Payne was getting his tariff bill ready, nor his exposure of that testimony in debate upon the floor of the House, nor his call to his following to stand as one man and their obedience,—nor his challenge to Payne and Cannon that at last the people would vote with their eyes open to all the facts and a Democratic House would succeed. His word gave to the Democracy of the country a thrill and an inspiration that they had not felt since the days of Tilden and Hendricks. The Democracy Despondent became the Democracy Militant, and in November, 1910, the Democracy Triumphant, for everywhere it buckled on the armor which he had selected. It was not long from 1904 to 1910,—only six years, but behold the list of Democratic Governors. Clark speeches were circulated by the million. His clear warning to Cannon and Payne, that the high cost of living under their

tariff bill would be the inevitable issue, was recognized and accepted and acted upon everywhere. Of course, in every state there were some local issues, some of which helped us and some of which hurt us, but everywhere the issue made by the Democratic minority in the 61st Congress was our real battle cry. Everywhere Clark's words were quoted, his speeches were circulated everywhere, and in every district in the Republic every voter knew when he voted for a Congressman that he voted either for Cannon, of Illinois, or for Clark, of Missouri, as the majority leader, and so I say again Clark has already demonstrated his ability to carry the country for himself, and not only that, but to carry thousands of other Democrats into honorable public position. Upon his issue, urged persistently, we elected Governors everywhere. It was true in Maine with Governor Plaisted, in Massachusetts with Governor Foss, in Connecticut with Governor Baldwin, in New York with Governor Dix, in New Jersey with Governor Wilson, and everywhere else. And so it is no exaggeration to say that the name, Champ Clark, has guaranteed and underwritten the high commissions of all the splendid column of new Democratic Governors and New Democratic Senators and new Democratic legislators, and new Democratic Congressmen, and his guarantee is good. The people have taken the opportunity to so certify since 1910, because where, by death, vacancies have occurred in the new membership of the 62nd Congress, special elections have been held and Mr. Clark has been made the issue. He has personally campaigned the districts and we have continued to win and win. The splendid confidence of 1910 is demonstrated on every occasion that has been presented.

So, day by day, month by month, and year by year, we have the proof of his strength and the earnest confidence of the American people in his promises and his leadership. There is not a single voter in America who voted for him for Speaker, by voting for the Democratic candidate for Congress, who is not proud of his vote and who would not be proud to vote for him for President. Those votes are enough. They are located in just exactly the right states. They voted on conviction. They accepted a pledge. They have seen the pledge redeemed. They have a personal interest in this great man. They hope to see him President of the United States, and they are only waiting until November to help *make* him President of the United States.

It is not necessary to make comparisons or distinctions between

Mr. Clark and the other great Democrats who bear honorable commissions. It is no serious reflection upon them that none of them have been able to demonstrate a similar strength before the people, because none of them has had the chance. Each of them might have been able after years of trial such as has fallen to him to demonstrate a like strength and capacity of leadership and a like ability to command and secure the warm and earnest confidence of the people. It so happens that he alone has made the record full, round, and complete that exactly fits and fills the issues upon which the party must and will go to the country next Fall. The time is too short between June and November to educate the people and make them feel sure of either the capacity or the convictions of any man new and untried in national political life. We have not the time and we have not the money or the means or the facilities and we do not need to undertake such a hopeless task, because the voters already know the man who fits the issues and are already educated on the issues which fit the man.

He is a great party leader who, when commissioned to high office, so bears himself as to command the harmonious and united action of those who have raised him to high place, and who in unison with his party followers make it easier and surer each following election for his party to win. How very fortunate and very happy indeed we would be if we had seen this quality which so emphatically marks the disposition and career of Mr. Clark, exemplified in all our party leaders, so that everywhere it might have been demonstrated in 1911 that we were stronger than in 1910.

Clark will be nominated, because, while in speaking of any other candidate we all say with a fairly firm confidence, "We think we can win," all Democrats, everywhere, with one voice say, "With Clark nominated *we can't lose.*"

"By their fruits shall ye know them." That is true of fig trees, grape vines, apple trees, sinners, saints, and candidates. Not by their leaves nor by their blossoms, but by their fruits,—their real ripened fruits. Their leaves are green and tender and soon wither. Their blossoms are mere promises and altogether too numerous and easily frostbitten. A very wise man, and a very great man, a real leader, upset three hours of words and theories at the famous Jackson Day dinner in Washington on the 8th of January last, in one sentence, when he uttered those famous words: "An ounce of performance is worth a ton of promises."



We have been trying a long time to satisfy the necessary number of Republican voters in the necessary vital and pivotal states that the Democratic party is entitled to their confidence. They have doubted us. They have been weary enough and tired and thirsty and hungry enough in their destitution and wanderings with the Republican party. They have wanted to believe the story we have told them of the benefits to them and their children of entering into the "Democratic Promised Land," *but our scouts have frightened them*. Now the situation is changed. Now they have seen the fruits of a Democratic victory made possible by their votes in 1910. Now they understand that the promises of 1910 were seriously made by a serious man, who would not lie to them if he could and could not lie to them if he would. He comes back to them bearing the proofs of his own good faith and the good faith of the party whose representatives in Congress followed him. He does not come empty handed. He said to the people, when he was leader of the minority and was attacking the followers of Cannonism, that he was advocating a principle for which he would stand when he spoke for a majority; that the "one man rule" must end in the House of Representatives; that the people's Congress must be controlled by the people's representatives, each man equally, each district the equal of every other district. Did he mean it? Let us see. When, early in 1911, the 62nd Congress with its great Democratic majority in the House was called, in special session, the Democratic majority in caucus paid to him the high honor of a unanimous nomination as Speaker. No other Speaker at his first election had ever been so honored. The usual resolution was offered in caucus, placing in the Speaker's power the old-time authorities and prerogatives, and he himself arose in caucus and reminded the body that the pledge had been given to the people that that system must end, and however tempting the offer might be, personally, to him, it was his wish that the resolution should be withdrawn and a policy pursued exactly in accord with the promise made to the voters, *and it was done*. The promise was kept; and then he reminded his fellow Democrats, in that caucus, of a series of specific promises that had been made and asked them to join with him in seeing to it that every one of those promises should be redeemed. And every one was redeemed; and then from every latitude and longitude came the praise of the people for the Democratic House of Representatives and the recognition

*that at last we were dependable;* and as the weeks have proceeded and month followed month, the record of the Democratic House has grown stronger and better. Is there any voter now left who looks upon the "Republican minority" led by Cannon and Daltzell and Payne as worthy of more confidence and respect than the Democratic majority?

So, Mr. Clark comes to the vast army of necessary Republican voters, whose support we had in 1910, and must have again if we will win, bearing proofs,—not in the leaf, not in the blossom,—but laden, hands full, back full, arms full, with fruits of promises *kept*, pledges *redeemed*, things *done*, benefits *conferred*, *hope* revived. He comes like Joshua of old. You will remember that when the people of Israel were hesitating about entering the promised land a dozen scouts were sent into its borders to exploit it and report, a dozen princes of Israel. Ten of them came back, and alarmed and frightened the people by saying "there are giants over there—stay away—the country is not good." Not so with Joshua. He came back bearing figs, pomegranates, and grapes, the fruits of the promised land, the actual, substantial, edible, tasteful, wholesome fruits, and said to the people, "There is more over there, plenty, plenty,—and the land is good and the sun is bright and the water is pure and God is there," and the people believed him and followed him and went with him into the promised land and possessed it.

It is not because these suggestions are new, but because they are not new that makes them worth while. It is because they are familiar already to the people whose votes must elect. We are not introducing Mr. Clark to the public. For twenty years his life has been an open book before them all and it is because of that we expect his nomination and election. The people whose suffrages will elect their President need no citation from his votes, his record, or his words to be reminded that he has throughout his entire public career been their champion. They will review his record, his votes, his words, when he has become our nominee—as a labor of love and sweet reminder of the good deeds of their good friend who has been at all times thoughtful of them and their welfare; and they will vote for him and will elect him in the abiding faith, belief, and knowledge that when inaugurated he will continue to say, as President, just as he has said as Congressman, to the despoilers and oppressors of the toilers of this land—in good, homely, unmistakable Ozark language, but speak-

ing by the authority of the highest office in the world, officially, finally and irrevocably, "You've gotta quit kickin' my people around."

We have had strong men in the White House—none, however, with bigger or warmer heart, none with riper experience or mind better stored,—than this great Missourian,—this splendid American.

Lafayette Ponce

# Editorial

CHAMP CLARK.  
(*New York American.*)

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It is perfectly certain that the Democratic battle of 1912 must be fought upon the record and achievements of the Sixty-second Congress.

The landslide which elected six Governors and forty-seven Congressmen in 1910 was not an expression of confidence in the Democratic party. It was essentially an expression of disapproval and distrust of the Republican party. As a result, the Democratic party came into power distinctly on trial—to be measured by its achievements, to be reckoned upon its worth, to be rewarded for its fidelity, or to be condemned for its failure to meet the popular will.

The record of the House majority in the Sixty-second Congress is without a superior in our modern legislative annals for unity, coherence, definiteness and practical achievement. The Democratic party has never had such an effective fighting machine. As a result of the extra session, called by the President to pass the Reciprocity bill, the Democratic majority passed swiftly and smoothly, and yet with perfect fairness and deliberation, every single bill that its platform pledges promised to the American people. As a fighting platform for the campaign of 1912 it is flawless and complete. No party ever went with a better record to ask the ballots of the American people.

And this coherent and effective Democratic majority is as much or more the product of Champ Clark than of any other single individual. It is quite true that Oscar Underwood, as chairman of the Ways and Means Committee, has conducted the cause of the majority on the floor with consummate balance and skill. He has won and deserves golden opinions for his courage, his calmness, his discretion and his ability.

But it is also true that the Democratic majority, for four preceding years, when it was a minority, has been conducted with equal skill and effectiveness by Champ Clark. Since John Sharp Williams withdrew from the Democratic leadership, Champ Clark has led the parliamentary fortunes of the party. He led it, too, in the darkest and most despairing days of Democratic history. He has been fearless, aggressive, undaunted and clear. He has fought the Republican leaders upon the floor of the House, upon the hustings, and upon the American platform—the ablest and best of them—and has sustained the principles and the prestige of the party in every field of intellectual contention.

Moreover, it was under the leadership of Champ Clark that the despotic Cannon regime was destroyed in the House of Representatives, and that the rules were reorganized. It was his own signal judgment of men that elevated Oscar Underwood to the chairmanship of the Ways and Means Committee. Not a measure has been considered or decided upon in the all-powerful caucus of the Democratic party without the concurrence and coöperation of the Speaker of the House.

To pass, after his long experience, from the Speakership of the House of Representatives to the Executive office of the White House would be to Champ Clark simply like passing from one room to another.

In all his career there has been no act and no expression which would give his enemies a hammer to batter his record or his capacity. He is a Progressive Democrat, and the leader of the Progressive Democrats in a progressively democratic age.

There is another remarkable qualification which fits Champ Clark peculiarly for the Presidency. His long career in Congress, and his intimate knowledge of the ways of Congress and of the motives that move the two houses is an equipment for the Presidency which the history of that office will emphasize.

Grover Cleveland was one of the greatest statesmen that America has produced. Of his ability and integrity there can be no doubt. And yet Grover Cleveland's two terms were incessant wrangling conflicts with the House of Representatives, and he left the White House with his party broken and disorganized—simply because he did not know how to handle the American Congress.

William McKinley had, perhaps, the most popular administration of the Presidency that the country has known. With less

individuality than Cleveland, and perhaps with less ability, his administration was full of achievement and comparatively free of fiction, because his four terms in the American Congress had taught him how to deal with that body and how to secure legislation at its hands.

Theodore Roosevelt, with his strenuous and impulsive career, had seven years of strife and wrangle with the American Congress, which he did not understand because he had never been a member.

Benjamin Harrison, who had, perhaps, the smoothest administration of the quarter century, had served three terms in the Congress of the United States.

It is safe to say that if Champ Clark were elected President, he would know better than any man who has ever occupied that lofty station how to handle Congress in the most effective way, and how to secure from the legislative body the fullest possible coöperation with the policies of the Chief Executive. This makes a measureless advantage to a Democratic administration.

Champ Clark is the best and safest man upon whom a hopeful Democracy can reconcile its factions, compromise its differences, and march forward to a Presidential victory.

The Democratic party fronts the greatest opportunity it has known in twenty years for entering upon a long lease of power.

Who is better entitled to lead the Democratic party than Champ Clark—the man who made that opportunity?

## JUDSON HARMON OF OHIO—A MAN OF DEEDS, NOT WORDS.

BY ROBERT M. DITTEY.

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IF for no other reason other than that he possesses, in a pre-ëminent degree, those two prime essential qualifications—fitness and availability—Governor Judson Harmon of Ohio should be selected by the Democrats as their candidate for President. Others may be equally fit, none is as available.

Blest with a strong body and a sound constitution, he has been able to perform the arduous labors and to assume the heavy responsibilities which have fallen to him during a long and active career, without drawing upon his reserve forces. He possesses the activity and strength, mental and physical, common to men twenty years his junior. In him we find the ripened judgment of the man of sixty-five combined with the vigor and energy of the man of forty-five.

His career may be briefly sketched as follows: The son of a Baptist minister, he was born at Newtown, Hamilton County, Ohio, February 3rd, 1846, and after working his way through Denison University and the Cincinnati Law School, he began the practice of his profession. At the age of thirty he was elected a Judge of the Common Pleas Court of Hamilton County, but on a contest was unseated by a Republican State Senate. Two years later he was elected a Judge of the Superior Court of Cincinnati. Being reëlected in 1883, he resigned, in 1887, to become a law partner of ex-Governor George Hoadley. Recognized as a profound lawyer, he quickly built up a large practice, and has for many years stood at the head of his profession in his home city of Cincinnati and in the State of Ohio. During his long and distinguished career as a lawyer he never accepted employment from a corporation in a case against the people.

Chosen by Mr. Cleveland in 1895 as a member of his cabinet,



### ROBERT M. DITTEY

One of the Manager of the Harmon National Campaign Committee, is head of the Tax Commission of Ohio. Was born in Highland County, Ohio, in 1855, and is by profession an attorney-at-law. In working out the problem of equalizing tax burdens, he has had a conspicuous success.





Governor Harmon measured up to the high standard of excellence and ability established by his many brilliant predecessors in the office of Attorney General. It fell to him to uphold and defend the Sherman Anti-Trust law, then but recently passed by Congress in an effort to restrain and prevent illegal combinations; this he successfully accomplished in the trans-Missouri freight cases and the proceedings against the Addyston Pipe Company et al. Through his efforts in these cases that law was firmly established and made an efficient agency to control illegal combinations in restraint of trade.

Later he was appointed, with Mr. F. N. Judson, of St. Louis, by President Roosevelt, to inquire into alleged violations of an injunction against the practice of rebating by the Santa Fé Railroad Company, in favor of the Colorado Fuel, Coal and Iron Company, one of the most offensive trusts in the country. The late Paul Morton, who was at that time a member of President Roosevelt's cabinet, had been at the head of the traffic department of the railroad during the period when, it was charged, rebates had been made. These gentlemen found that the injunction had been violated; that rebates amounting to more than a million dollars had been allowed within a period of two years; and that both in law and in fact the officers in charge of the traffic department were responsible. They recommended that a rule be taken requiring those officers to show cause why they should not be punished for contempt of the injunction. It was in that report Governor Harmon gave expression to the now celebrated epigram, "Guilt is always personal," adding that "so long as officials can hide behind their corporations no remedy can be effected. When the Government searches out the guilty men and makes corporate wrong-doing mean personal punishment and dishonor, the laws will be obeyed." President Roosevelt, after much shilly-shallying delay and insistence that proceedings should be instituted against the corporation only and not against any of its officers, finally flatly refused to allow any other course to be taken. Because both considered that such a course would be a mere mockery of justice, they resigned, and a subservient judge having been selected, Mr. Roosevelt's friend was whitewashed.

As Receiver of the Cincinnati, Hamilton & Dayton and Père Marquette Railroads, he so successfully managed these properties that he was able to restore them to their stockholders without the loss of a single dollar to any one. Previously, as Receiver

of the Baltimore & Ohio Southwestern Railroad, he had reorganized that property and when he transferred it to the stockholders there was no loss sustained by them or by any creditor or employee.

Chosen as the Democratic candidate for Governor of Ohio in 1908, he was elected by a majority of over 19,000, although William H. Taft, the Republican candidate for President, carried the state by a plurality slightly under 70,000. All the other candidates on the Democratic state ticket, with the exception of the candidate for State Treasurer, were defeated at that election. Renominated in 1910, Governor Harmon was elected by a majority of 100,377, carrying through with him the entire state ticket, sixteen Democratic congressmen, a majority in both houses of the General Assembly, and the entire Democratic ticket in many counties in which no Democratic county officer had been elected in a quarter of a century or more.

Governor Harmon has always been a consistent advocate of the doctrine that in the partition of powers between the state and nation the Federal Government should not be allowed to break or even stretch the limit set to its activities, but that the people of each state should be left free to work out and conduct for themselves a commonwealth according to their own conceptions, with only such interference upon the part of the Federal Government as may be necessary to preserve the rights of the nation and the inhabitants of other states. It was for these reasons that the Governors of the states, at their annual conference in 1911, selected Governor Harmon as the head of a committee of three of their number to point out to the Supreme Court of the United States certain instances wherein it is thought the Federal Government has encroached upon the rights of the states, in violation of the Federal Constitution. Briefs have been prepared by that committee of Governors and will be submitted to the United States Supreme Court in certain proceedings now pending before it.

For more than fifteen years prior to the year 1905, the affairs of the state had been exclusively and continuously under the control of Republican officials. In that year the dissatisfaction which had been growing among the people about the manner in which their affairs were being conducted became so great that it resulted in the election of the Democratic candidate for Governor. Unfortunately for the people of the state, Governor Pattison

lived but a short time after his inauguration, and the control of state affairs again reverted to Republican officials. The State Senate, however, through a combination of Democrats and Independents, was able to institute some investigations of state and city affairs, but before any substantial progress had been made their proceedings were halted by the courts. Enough, however, was disclosed to show that there had been grafting in the State Treasurer's office and among public officials in the City of Cincinnati.

In 1908, the people were again resolved to place a man at the head of their affairs who would not only give them a business administration, but would put a stop to stealing by public officials. Believing, as he does, that the betrayal of public confidence is the worst of all offenses, and that men who are unwilling or afraid to act when something should be done are unfit for public service, Governor Harmon at once took off his coat. He immediately called upon the General Assembly to enact a number of reform measures which the people had been demanding for years, and kept insisting upon the same in special messages sent from time to time to that body. Both branches of the General Assembly being controlled by the Republicans, his demands were practically ignored and his messages given scant consideration, the Senate, in one instance, laying his message on the table as an intentional act of discourtesy. But even a body so hostile as that General Assembly was unable to entirely ignore his demands for just legislation, and did enact a few of the measures formulated by him, but in such emasculated form that the Governor was compelled to veto some, and those which became laws were ineffective. At the same time he pursued, with his characteristic energy and persistence, investigations into the conduct of state affairs, disclosing grafting in many of the public offices of the state. At his instance proceedings were instituted, and large sums have been recovered and paid into the state treasury, and a number of criminal indictments were found against individuals, some of whom are at present serving their sentences in the penitentiary.

It was in this hostile field and in this malignant atmosphere that Governor Harmon was compelled to plant the seeds of the reforms which have been accomplished during the past two years. After he was renominated he went before the people, and plead with them if they believed in him, approved of his course, and favored reforms he had sought to bring about, to not only reelect

him but to elect all his associates on the state ticket and give him a Democratic legislature. This they did. At once insidious influences were brought to bear upon the members of the General Assembly, and it was but a short time before these influences were able to organize that body, more particularly the upper branch of it, against the measures he insisted should be enacted in the public interest.

For many years there had been whisperings of bribery and corruption in the Ohio legislature, and when these were heard again an investigation was begun, resulting in the indictment of a number of the members and one officer of that General Assembly. So clear and convincing was the proof of corruption that some of the indicted pleaded guilty, one officer of the State Senate was convicted and is now in the penitentiary, and preparations are being made for the speedy trial of the others under indictment. As bribe givers are indifferent to party affiliations and as bribe takers are not restricted to any one party, the dragnet caught both Democrats and Republicans. This shocked the political sense of some of the Democratic politicians of the state. After the explosion caused by these exposures, which came near the close of the session, most of the measures demanded by the Governor were quickly enacted into laws.

It is impossible within a short space to even mention all the progressive legislation of Governor Harmon's administration, and only brief reference can be made to the more important. Two of these relate to taxation; one, an act centralizing in the hands of a State Commission the assessment of real property, bank shares and the property of public service corporations; the other, an act limiting the rate of taxes that may be levied in any taxing district in the state to ten mills, exclusive of levies for interest and sinking fund purposes and such additional taxes as may be voted by the people, the total of all levies, including the latter, being limited to fifteen mills in a taxing district. These two measures have been in actual operation for about one year, and under them the burden of taxes has already been so equalized that the farmers and landowners throughout the state generally are paying less taxes and the big corporations paying more. The Tax Commission act confers upon that Commission greater power than is conferred upon any similar body in any state,—greater in fact, in most respects, than the powers conferred on all the Tax Commissions of other states combined.

Another important measure was the act creating the Public Service Commission, and placing under its control and supervision all public service corporations in the state, with power to regulate their charges, the character of their service, and the issuance of their stocks and bonds.

Governor Harmon was instrumental in having passed a Workman's Compensation law, the constitutionality of which has recently been upheld by the Supreme Court, and under which the workman injured in an industrial accident can be speedily compensated without resort to the courts and with no taint of charity or poor relief. This act is of wider scope and more comprehensive and far reaching than any similar legislation heretofore adopted by any state or any European country.

A Salary Loan act was passed, which protects the borrower of small sums of money upon the security of his wage earnings against extortionate interest charges. Acts providing for the election of the judiciary upon non-partisan ballots, the Oregon plan for the direct nomination and election of United States Senators, a Central Board for the control and government of state institutions (which, in its first six months of operation, saved the state \$75,000); an act, providing for a Constitutional Convention to amend the present Constitution of the State and for the election of its members upon non-partisan ballots, a measure requiring that agriculture shall be taught in the common schools of the state, outside of cities; an act establishing a Woman's Reformatory; an act limiting the working hours of women to fifty-four hours a week and nine hours a day; the Initiative and Referendum for cities; and a Corrupt Practice act. These are but a few of the more important of the many progressive measures Governor Harmon has been instrumental in having placed upon the statute books of the state during his three years of incumbency in the Governor's office.

Governor Harmon has made Ohio a better state to live in. Never before has the power of example been so potently demonstrated. When he went into office there was graft, large and small, in nearly every state department. It took one form and another, from the big thief who juggled the public moneys, to the employee who paid more for supplies than they were worth and pocketed the excess as a commission, on—down to the man who padded his expense account and to the petty pincher of pennies who trafficked in junk in the basement of the state house.

In nearly every county in the state a condition of near-scandal obtained through presents given to officials—money and other valuables—for throwing the county's business to favored supply houses. In almost every city there was small trafficking with favored dealers. Today this condition no longer exists. The supply house that was accused of doing the greater part of the business of corrupting officials has been forced to reform its methods and change its name, while its former head only a few weeks ago appeared in court and pleaded guilty to a form of bribery for which he had been indicted.

The influence of Governor Harmon has permeated every locality of the state. There is less thievery, there is a more wholesome conformity to law and better public service in every county and in every city. In the state departments, the Democrats whom Governor Harmon carried through to election, when he swept the state in 1910, have so conducted their offices as to meet the commendation of the whole people.

So far-reaching has been the administration of Governor Harmon in the state that at the municipal elections last fall the four big cities elected Democratic mayors, and more Democratic mayors were elected in the smaller cities than ever before in the history of the state. On the basis of these municipal elections Governor Harmon could have carried the state last year by 200,000 majority instead of the 100,000 he received the year before, showing that as his administration grows older he grows stronger with the voters.

Governor Harmon is the one Democratic candidate for President who is certain to carry Ohio. He is the one Democratic candidate who can carry both Ohio and Indiana. His strength in New York, whether Mr. Taft or Mr. Roosevelt be the candidate is conceded. By carrying New York, Ohio and Indiana, together with the Southern states, he can be elected. No other candidate is so peculiarly available for this necessary performance as Judson Harmon.

The circle illumined by the spotlight is so small that it is not possible for all the candidates on the Democratic side to get within it, consequently only glinting rays reach some of them. If it were possible, in a campaign for the nomination, to turn the light full on each candidate, it must be apparent from the foregoing that Governor Harmon would be conceded at once to

be not only the most available but clearly the only logical candidate.

Through his tax reforms he has reduced the poor man's taxes. Who, in the history of all the Union, has done as much? The beneficence of this platform or that has been expounded by campaign orators, policies of state have been debated by demagogues, promises have been made by politicians, and the voters have been cajoled by candidates, while all the time the taxes of the farmer, the mechanic, the day laborer, and the small homeowner have been constantly climbing upward. It was not until the present Democratic administration began making history in this state that practical progressive measures for the equalization of the tax burden were made effective. This is the Ohio idea of Democratic progression.

"Harmon reduced the poor man's taxes!" What a theme! What a splendid foundation upon which to rear the superstructure of a successful campaign! For a campaign to be successful it must have in the forefront a man who has done something upon which argument may hang. It is not difficult to find a candidate who has said things. It is altogether too easy to find a candidate who has said too many things, sometimes on one side of a question and sometimes on the other, and not infrequently on both within a brief space of time, but the people are not to be satisfied with mere words of mouth; they can no longer be fooled with promises. They refuse to be longer cheated with patent nostrums liberally labeled as cure-alls guaranteed to make the rich man poor and the poor man rich. There has been too much talk and too little action, and the public is awake to that fact.

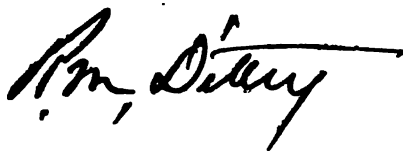
Constant soarings in the rarified air of mysticisms has made the plain citizen dizzy and faint of heart. In the next campaign he is not going to inquire what the candidate has said but to insist upon knowing what he has done. In these circumstances does any citizen of this nation rise to a level above Judson Harmon; can it be said of any other with greater truth than it can be said of him, that he reduced the poor man's taxes; that he leveled the burden of government for the rich and poor alike; that he provided in the grandest piece of legislation ever enacted anywhere, for the insurance of workingmen against loss by accident; that he drove the thieves out of the treasury; that as receiver for a state administration bankrupt in finance, and nearly so in morals, he put the government on its feet in a businesslike



way, just as he did the railroads for which he was receiver? Of what candidate can it be said with greater truth, than of Judson Harmon that in his state the farmers and small home-owners are paying less taxes than they paid before without impairing the public service in any county?

Agricultural papers in all parts of the country teem with references to the great work done for the farmers of the State of Ohio by Governor Harmon and his associates, and many of these publications, though entirely non-partisan in their character, openly advocate his nomination for President.

Reflecting directly upon his availability is the fact that he will sweep the rural districts. Favored as he is by the business sense of the country, backed as he is by the farmers and the small home-owners, who know of his achievements in Ohio as a lifter of burdens and a champion of justice and equality, Governor Harmon would be as certain of election as election day is to come. Others have elements of strength but none has more such elements. What Judson Harmon has said indicates the safe and prudent mentality he possesses, but what he has done is a platform in itself.

A handwritten signature in cursive script, reading "R. M. Dickey". The signature is written in dark ink and features a long, sweeping horizontal line extending from the end of the name.

# Editorial

## GOVERNOR HARMON.

*(New York Times.)*

THE study of Gov. Judson Harmon which The Times submitted to its readers recently throws a good deal of light not only on his interesting personality, but on the conditions of political life for the past decade. Here is a citizen of marked ability, who stands high in his profession of the law, who has served with credit as head of the Department of Justice in the National Government at a time of especial stress, who comes rather rapidly into the field of Presidential probabilities by virtue of the energy, probity, and skill with which he has done the work of Executive in his own State.

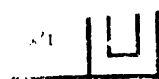
Certainly the work he had previously done in the Federal service was not unimportant. He had successfully defended the constitutionality of the Anti-Trust act, the most far-reaching legislation since the resumption of specie payments. Incidentally he had shown the temper of his character by withdrawing from a case under that law because the Administration that had retained him would not pursue the case in the manner he deemed right. President Cleveland valued his counsel in the Cabinet highly, and the influence he exerted in National politics was considerable. But it was not until he was called to the Governorship of Ohio that he made the remarkable impression upon public opinion that is now generally recognized. Nor has he made this impression by any startling innovation, by new ideas or new policies. He says himself that he has simply undertaken to apply to his work the old-fashioned Democratic standards of honesty, economy, and fidelity. In reality, of course, these are not essentially Democratic, any more than Mr. Cleveland's "Public office is a public trust," or Jefferson's "Is he honest, is he capable, is he loyal?" A man may have all these virtues

and not be a Democrat; but Mr. Harmon holds that he can not be a good Democrat without them.

His workmanship has been shown not merely in clearing out bad timber in the edifice of the State, but in replacing it with good material and strengthening the construction at weak and exposed parts. Undoubtedly the former was, in a sense, easier because, for the most part, he had to deal with the bad work of his part opponents. It is not so hard to fight foes as professed friends and associates. But two things are to be noted in his career. He has pursued the rascals of the opposing party so effectually, with such open and honorable aims and means, that he had won a great number of Republican supporters. The other is that when it came to dealing with the jobbers in his own party he was not a whit less candid or effectual.

Moreover, Gov. Harmon has taken a broad view of the relation of his office to the people. He has not contended himself with the relatively simple and conspicuous work of unveiling bad conduct and chasing the guilty out of public life. He has secured legislation that makes bad conduct far less easy and safe. In the matter of taxation and in the regulation of public service corporations he has tried and has measurably succeeded in doing away with a great amount and variety of special privilege, and by equalizing the burden of the support of the State has substantially relieved large classes of the people. It must be remembered that the inequalities he has corrected were by no means always in the interest of the corporations or "big" business. Some of them, and some of the meanest and most cruel, sprang from the petty graft inherent in the assessment for taxes by counties and localities. The reform of the tax laws, has been a sound and valuable achievement of no low order.

We think that the unvarnished account given by our correspondent of the career of Gov. Harmon, and of the feeling of his fellow-citizens for him, and the causes of it, shows him to be a man of native strength of mind and character, trained by experience and vigorous exercise. The quiet and rooted confidence which the people of his own State show in him and have so strikingly maintained is a factor of real political and moral value. It is surely a matter for sincere gratulation, not only for their own party, but for all sensible Americans, that the Democracy can make its choice of candidates among men of whom Messrs. Underwood and Harmon are examples.





### JOSEPH M. DIXON

Chairman of the Roosevelt National Campaign Committee, is U. S. Senator from Montana. Was born in Snow Camp, N. C., on July 31, 1867, and graduated from Guilford College. Was elected prosecuting attorney of Missoula County, Montana, in 1894. Served as Member of Congresses, 58th and 59th.

## WHY THE NATION NEEDS THEODORE ROOSEVELT AS PRESIDENT.

By JOSEPH M. DIXON.

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It is an incontrovertible fact that Theodore Roosevelt is one of the most commanding figures intellectually among the great men in all nations today. He even towers head and shoulders over those of first rank, for he is gifted with a rare combination of scholarship, practical knowledge of men and affairs, and an intuitive grasp of present-day conditions and the trend of future progress. In a word, he personifies efficiency of the highest type. A man who does things, who looks ahead and inaugurates reforms while others let the things of the present take care of themselves is logically a leader of a great nation in its onward sweep of progress.

Mr. Roosevelt's achievements while President left large impress upon almost every department of human effort, and embraced national and international reforms of the highest interest to the future of mankind.

As a nation we are today facing the most momentous problems,—problems that must be solved and upon the wise solution of which progression or retrogression in civilization will largely depend. We want, therefore, a strong man as leader, one with a grasp of conditions and of ability to grapple with the most complex and complicated problems. Who is more fitted to be the Moses of today, leading us into the promised land of betterment, than Theodore Roosevelt? His record while President shows that he accomplished so much for the cause of honest government and the prosperity of the country that, given a further opportunity to serve the country as its Chief Executive, he would undoubtedly pilot the United States through the troublous seas of the near future.

Mr. Roosevelt's most notable achievements probably were the

opening of the door of China to American commerce; the inauguration of the movement for the Conservation of National Resources; the settlement of the Russo-Japanese war; the conviction of Post Office and Public Land grafters; the institution of suits against the Standard Oil Company and the Tobacco Trust for violation of the Sherman Anti-Trust Law; and the placing on the statute books the Employers' Liability Act.

Theodore Roosevelt has made himself the champion of the "New Nationalism" and progressiveness in government, and in his speech at Columbus he gave what has been widely recognized as a Charter of Democracy. That speech struck the keynote of the contest that is being waged in this presidential year.

Since Mr. Roosevelt left the White House this lack of positive leadership has turned a Republican majority of sixty in the House of Representatives into an adverse Democratic majority of seventy; has changed a two-thirds vote in the Senate into the bare political control of that body; and temporarily at least has lost control of a dozen Republican States of the North and West. The lack of leadership and of statesmanship has produced a condition of business bewilderment which has halted the prosperity of the whole country.

It is under these circumstances that a nation-wide demand has arisen for the nomination of Theodore Roosevelt at the next Republican National Convention.

Among the many reforms that Mr. Roosevelt champions for gaining the better expressing of the people's views on public affairs is that of Presidential Primaries, regarding which he has uttered the following weighty words, and in which the progressive cause is summarized.

"We who stand for the progressive cause, for the cause of honest and genuine democracy, genuine representative government, hold that a public contest between parties or within parties is not carried on as a game, is not carried on for the purpose of winning prizes for the contestants or with a view to the personal wishes or welfare of any one man. We hold that it should be carried on for the purpose of ascertaining and putting into effect the will of the people, so that the people may jointly do for themselves what no man can so well do for them. We hold that the laws that govern elections and govern party organization should not be treated as rules which are fit subjects for tricky manipulation by contestants for a prize. We hold that as far as possible these laws should be treated as rules to ascertain the will of those whom the public officials and the party officials are supposed to represent. In sum, therefore, we hold

that the object of this contest is not to secure rewards for individuals but to secure the more effective government of the people, by the people and for the people."

"There was never a straighter fight waged for the principle of popular rule than that which we are now waging. We are fighting against entrenched privilege, political privilege, and financial privilege. We believe that if given a fair chance the people will declare against both political and financial privilege. Therefore, we demand that they be given that fair chance."

As President, Mr. Roosevelt constantly urged the "square deal" and the destruction of political and financial privilege, and in his constructive work he gave an immense impetus to the progressive movement in national affairs. He was bitterly assailed for his policies, but those policies have been amply vindicated, his reforms being accepted even by men who originally opposed them most strongly. To put it briefly, he possesses statesmanship of such a character as enables him to see ahead of present conditions and initiate reforms that will meet future developments and contingencies.

Mr. Roosevelt has always contended for property rights being secondary to human rights, and that the people's well-being is the highest ideal of true statesmanship.

The expression of the people's will can, he thinks, best be ensured through "direct nominations by the people, including therein preferential primaries for the election of delegates to the national nominating conventions. The direct primary will give the voters a method ever ready to use, by which the party leader shall be made to obey their command. The direct primary, if accompanied by a stringent corrupt practices act, will help break up the corrupt partnership of corporations and politicians."

Mr. Roosevelt places the utmost confidence in the people and believes that United States Senators should be elected by direct vote.

In his Columbus speech, speaking to a State Constitutional Convention, whose purpose was to draft the fundamental law to be submitted to the voters of the State of Ohio for their approval or disapproval at the polls, Colonel Roosevelt pointed out a way for a more elastic method of amendment to state constitutions. In discussing the subject he used the phrase "the recall of judicial decisions," having in mind only the right of the people themselves to amend their constitution whenever the courts had held that under the powers of the constitution, as then writ-



ten, a specific act of the legislature, expressing the will of the people, was not in strict conformity to the constitution as written.

Immediately in the headlines of the opposition newspapers there went forth the statement "that Roosevelt proposes to settle legal questions by a vote of the mob." Political opponents took up the hue and cry and ingeniously and unfairly misrepresented the spirit of Mr. Roosevelt's suggestion which was in effect only pointing out a more elastic method of constitutional amendment than the 17th century provisions that now prevail in many states of the Union.

In his speech in Carnegie Hall in New York City, on March 20th, in discussing the bitterly partisan and unfair argument of his opponents concerning his actual statements in the Columbus speech, Mr. Roosevelt said:

"So that no man may misunderstand me, let me recapitulate:

"(1) I am not proposing anything in connection with the Supreme Court of the United States, or with the Federal Constitution.

"(2) I am not proposing anything having any connection with ordinary suits, civil or criminal, as between individuals.

"(3) I am not speaking of the recall of judges.

"(4) I am proposing merely that in a certain class of cases, involving the police power, when a state court has set aside as unconstitutional a law passed by the legislature for the general welfare, the question of the validity of the law—which should depend, as Justice Holmes so well phrases it, upon the prevailing morality or preponderant opinion—be submitted for final determination to a vote of the people, taken after due time for consideration.

"And I contend that the people, in the nature of things, must be better judges of what is the preponderant opinion than the courts, and that the courts should not be allowed to reverse the political philosophy of the people. My point is well illustrated by a recent decision of the Supreme Court, holding that the court would not take jurisdiction of a case involving the constitutionality of the initiative and referendum laws of Oregon.

"The ground of the decision was that such a question was not judicial in its nature, but should be left for determination to the other coördinate departments of the government. Is it not equally plain that the question whether a given social policy is for the public good is not of a judicial nature, but should be settled by the legislature, or in the final instance by the people themselves?

"Well-meaning, short-sighted persons have held up their hands in horror at my proposal to allow the people themselves to construe the constitution which they themselves made. Yet this is precisely what the Association of the Bar of the City of New York proposed to do in the concurrent resolution, which was introduced at its re-

quest into our legislature, on January 16 last, proposing to amend the state constitution by a section reading as follows: 'Nothing contained in this constitution shall be construed to limit the powers of the legislature to enact laws' such as the workmen's compensation act. In other words, the New York Bar Association is proposing to appeal to the people to construe the constitution in such a way as will directly reverse the court. They are proposing to appeal from the highest court of the state to the people. That is just what I propose to do; the difference is only one of method, not of purpose; my method will give better results, and will give them more quickly. The Bar Association, by its action, admits that the court was wrong, and sets to work to change the rule which it laid down.

"As Lincoln announced of the Dred Scott decision, in his debates with Douglas: 'Somebody has to reverse that decision, since it is made, and we mean to reverse it, and we mean to do it peaceably.' Was Lincoln wrong? Was the spirit of the nation that wiped out slavery 'the fitful impulse of a temporary majority'?"

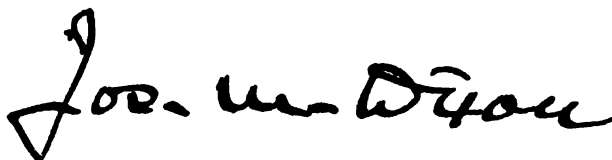
Mr. Roosevelt's position as to the right of the people to rule themselves is stated with clearness and vigor in the following statement from his "Charter of Democracy" speech at Columbus:

"If the American people are not fit for popular government, and if they should of right be the servants and not the masters of the men whom they themselves put in office, then Lincoln's work was wasted and the whole system of government upon which this great democratic republic rests is a failure.

"I believe, on the contrary, with all my heart that the American people are fit for complete self-government, and that, in spite of all our failings and shortcomings, we of this republic have more nearly realized than any other people on earth the ideal of justice attained through genuine popular rule."

Mr. Roosevelt's personality is of so magnetic a character that his hold on the American people is exceedingly strong. If again nominated for President by his party, undoubtedly he would receive the votes of large numbers of political opponents as he did in 1904.

I am firmly persuaded that the nation needs Theodore Roosevelt at the helm, and that he should and will be nominated for President at the Republican National Convention.

A handwritten signature in dark ink, reading "Joe. M. Dixon". The signature is written in a cursive style with a large, stylized initial "J" and a long, sweeping underline.

# Editorial

## CALLED BACK.

(*New York Evening Mail.*)

COL. ROOSEVELT's announcement of his willingness to accept the presidential nomination, should it be tendered him by the Republican National Convention, imposes upon the Republican party the duty of determining whether its policies and purposes shall have the inspiration of today and tomorrow or the stagnating influence of a dead and gone past.

It is a direct challenge to the party to change its course and move with him closer to the people, to put in the forefront of Republican principles the assertion of popular rights against every usurped right, to return to a leadership so courageous, so masterful and so strongly human that through seven years of rule it stirred the admiration of the world and unified the country behind it more intensely than any other leadership ever did during our 125 years of national life.

Even Lincoln, immortalizing himself in the terrific struggle that he led, was unable at any time to secure a vote of confidence the equal of that given Roosevelt in 1904, and indisputably awaiting him in 1908 had he desired to remain in the presidency. No man in the history of this or any other nation ever turned aside from the unquestioned desire of the people that he should lead them, that he should continue to exercise the power of the government in their behalf, as Theodore Roosevelt turned four years ago. Talk of a Roosevelt conspiracy for a third term! The only conspiracy that ever existed was the conspiracy among the people that resulted in an almost uncontrollable demand that he should not retire from office. He alone could stop it—and he did.

At that time Republican majorities were piled on top of each other in every state from ocean to ocean. The Democrats had been swept back below Mason and Dixon's line, and even there

were wavering. Contrast that flood-tide of triumphant Republicanism with the election figures of 1910, or with every forecast made of 1912!

Call the roll of states, mark the inspiring majorities of 1904 and 1908, recall the enthusiasm and vigor of those days—and then note the gloom that has settled over the narrow, timid and uncertain path the party has traveled toward disaster ever since. Grope about in the darkness and desolation of successive Republican defeats in one state after another, the past three years, and find if you can a single ray of hope to brighten party prospects or to thrill party spirit with the thought of coming victory.

Republicans, therefore, turn to Roosevelt—the Roosevelt who is sometimes wrong, who makes mistakes, as all men do, but who, nevertheless, keeps close to the people, understands their needs and, as he says, reduces to action the principles for which he stands, and in which the country has confidence.

## SOME REASONS WHY WOODROW WILSON SHOULD BE THE DEMOCRATIC NOMINEE.

BY WILLIAM F. MCCOMBS.

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WHEN we discuss nominees for the great office of President, it is natural that we should give expression to two considerations. The first is Fitness and the second is Political Availability. The idealist will say that fitness is the only problem to be solved. Practical politics compels the consideration of availability. Years ago the idea was held in some quarters that a President of the United States should not be too great a man. If I mistake not, the American people now unanimously follow a bigger conception than this. They want a man who has a strong grasp of public affairs, great vision, and consummate executive ability. That man is Woodrow Wilson.

Of course, in considering the subject of fitness, we must go to the records for the evidence. For many years before Woodrow Wilson had been thought of in connection with public office, he had been studying deeply the problems of practical government and had been expounding his views not only as a distinguished professor of jurisprudence and politics in Princeton, but on hundreds of public platforms for a period of twenty-five years. Long before he became Governor of New Jersey he had arrived at a sound conception of the forces that control or should control our institutions. This conception has guided him since he became a famous Governor of a great State.

At a dinner of the Princeton Alumni in Pittsburgh in 1907, he said:

"The great voice of America does not come from seats of learning; it comes in a murmur from the hills, and woods and the farms and factories, and the mills, rolling on and gaining volume until it comes from the homes of common men. Do these murmurs echo in the corridors of universities? I have not heard



**WILLIAM F. McCOMBS**

Chairman of the Woodrow Wilson National Campaign Committee, is a member of the Tariff Revision Committee of the National Democratic Club, and Trustee of the College of the City of New York. Was born in Hamburg, Ashley County, Arkansas, on December 26, 1875, and is a graduate of Princeton University, '98, and Harvard Law School.

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them. The universities would make men forget their common origins, forget their universal sympathies and join a class—and no class can serve America.”

These words were uttered by Wilson, the President of Princeton University.

In Frankfort, Kentucky, in February of this year, he said, in a public address:

“Nations are renewed from the ranks of unknown men. National life is renewed from the bottom and not from the top. The common man has a divine right of a chance to arise.”

These sentiments were expressed by Wilson, Governor of New Jersey.

Wilson, the President of Princeton University, held to the same fundamentals as Wilson, the Governor of New Jersey, now holds. While he was chief executive of Princeton University his great effort was to democratize that institution. In other words, Woodrow Wilson as the executive head and the administrator of a great institution stood for the same kind of democracy that he now demands in public life.

The statement has been made that Governor Wilson has had the kind of experience that fits him for high public office only for a period of a little more than a year. Perhaps it is well to call attention to the fact that nowadays the head of a great university is selected not so much for his scholarship as for his executive and administrative ability. To be successful he must over and above all have executive skill in just as great degree as the head of any large business. The president of such an institution nowadays is concerned chiefly in the matter of business administration. In the first place he is largely concerned in providing the institution with financial support and in planning the economical distribution of its moneys; he comes into frequent contact with a board of trustees, who, in the main, are hard-headed business men; he must deal with them as a business man; further, he has a large faculty over whom he must exercise control and whose duties must be assigned so that there will be effectiveness and no loss of motion; again, he has a large body of students upon whose ramifying activities he must always hold a steady and effective hand. Governor Wilson had this great practical experience for a considerable number of years. He had therefore been in prep-



aration for his great career as a public executive for a long time before he came to that office.

Those who knew him during the years of his activities before he took public office are surprised neither at his effectiveness nor at his ideas upon the fundamentals of government. The average person pictures a man who has been engaged in the profession of teaching as austere, cold, and pedantic. The idea exists that a professor leads a life of sombre aloofness. But it is erroneous in the main and has certainly never been true of Woodrow Wilson. He is a red-blooded man; he strongly appeals to the young man. As a student I attended his course on Jurisprudence. At the conclusion of his lecture I have heard him cheered to the echo dozens of times by the students. The subject of Jurisprudence does not ordinarily provoke cheers. The reason was Wilson.

When his name began to be mentioned in connection with the Democratic nomination for the Presidency, hundreds of college Woodrow Wilson clubs sprang up spontaneously all over the country. He spoke recently before the Harvard Woodrow Wilson Club, and there were over four thousand young men present to acclaim him. He spoke at the University of Michigan, and there were over five thousand young men who welcomed him with enthusiasm. He spoke recently at the University of Kansas, at a very early hour in the morning, and there were over four thousand enthusiastic students there to greet him. This means that the young man who will cast his first vote in the coming election is strongly drawn to Governor Wilson, and the Democratic Party must, in a large measure, rely for success upon the first voter. This vote wrested control from the Democratic Party and gave it to the Republican Party. Woodrow Wilson is the man to reclaim it.

Not only does Woodrow Wilson appeal to the college man; he makes a strong appeal to the man who labors with his hands—to the man in the street. During Woodrow Wilson's campaign for the Governorship I happened one day to be at a dock in New Jersey, from which a steamer was about to sail. I fell into conversation with a stevedore and asked him for whom he was going to vote for Governor. He answered: "Woodrow Wilson." I asked: "Why?" He answered: "I heard him speak last night." I knew from that moment that Woodrow Wilson's appeal was sinking deep into the hearts of the masses of men, and

from that moment I was confident that he would be elected Governor of New Jersey.

The country knows of the brilliant achievements of Woodrow Wilson as Governor of New Jersey in a brief period of ninety days. A distinguished Republican in that State told me that he had not expected to see the measures that were enacted into law in those few days put on the statute books of New Jersey in twenty years. This man did not have in mind the fact that Wilson had done big things before he became Governor. He did not have in mind the forceful personality of the man. That he should have gotten through the measures that he promised the people would be enacted, notwithstanding the violent opposition of a powerful Democratic boss and the existence of a Republican majority in the Senate, was really no surprising thing to those who know Wilson. He has a great faculty of sitting calmly and reasoning with men. He is not opinionated nor dictatorial. He confers; he gives and takes; he analyzes; he argues; he convinces men; he brings them to him by sheer force of logic and personality. He says to his associates: "I believe this measure is right; these are the reasons why you should agree with me; you are responsible to the people; the people of the State should have these measures; you are not representing them if you don't work for their enactment into law." This has been Wilson's method as Governor of New Jersey.

He is not a man seized of vague and wild theories. When he became Governor he promised the people the enactment of relatively few measures, but they were big measures. He promised a new election law which would give to the people not only the right to elect public officers, but the right to select candidates for public office, and the people got it. He promised an Employers' Liability Law which should be fair and just to both employee and employer. It was passed and has become a model for other states. He promised a law regulating campaign expenses and providing for their publication, and limiting the use of money to a specific sum in the election of the various officers in New Jersey. The promise was fulfilled. He promised a law creating a Public Utilities Commission and that the law should have "real teeth." The law is now in successful operation. He promised a law regulating the time during which various food-stuffs might be kept in cold storage. This law has had a direct

bearing on the reduction of the high cost of living. Over tremendous opposition it went on the statute books.

Governor Wilson is not the type of man who carries with him a large kit filled with legislative panaceas. He clings to the true Democratic doctrine, that Government should exercise the prerogative of law, making as little as is consistent with the peace and happiness of the governed. He has established himself in the hearts of the American people, not through cant and demagogism, but through an extraordinary ability to perform the functions of leadership courageously, and through a wonderful capacity to carry conviction in private conference and in public utterance. Much discussion is being had among Democrats on the point of selecting a man who can combine all of the elements of the Democratic Party. They have this man in Woodrow Wilson. The limits of this article do not permit of a full discussion of this phase of the matter. I will merely mention the names of some distinguished leaders of the Party who are vigorously supporting him: Senator Gardner, of Maine; Senator Overman, of North Carolina; Senator Hoke Smith, of Georgia; Senator Bryan, of Florida; Senator Culberson, of Texas; Senator Williams, of Mississippi; Senator Myers, of Montana; Senator Gore, of Oklahoma; Senator Chamberlain, of Oregon; Don M. Dickson, Postmaster General in Cleveland's cabinet; Richard Olney, Secretary of State in Cleveland's cabinet; Governor Shafroth, of Colorado; James D. Phelan, former Mayor of San Francisco, and ex-Governor Osborne, of Wyoming. Senator O'Gorman, of New York, names Woodrow Wilson first of all the available candidates who could sweep New York for the Democracy.

In the midst of the tremendous movement that is on foot to nominate Woodrow Wilson for the Presidency, and with dozens of urgent requests coming to him every day to speak in almost every section of the country, one would expect that he would have a feeling of great elation. On the contrary, he is unaffectedly modest about the whole matter. On a railroad train a few days ago I was conversing with him about his future in politics. He said to me:

"That is an entirely impersonal matter. I have certain fixed convictions as to public affairs and a distinct program for making those principles effective. If the people of this country

desire me to serve them in a higher capacity I will undertake it; if not, private life has no terrors for me."

Richard Olney is a speech introducing Governor Wilson to a meeting of the City Club in Boston, said, in part:

"I am about to present to you a man whose life work thus far is a conspicuous exhibit of the traits and convictions and accomplishments to which I have briefly referred. I am presenting him not as a high official, nor as a candidate, nor as a Democrat, but as an American citizen, entitled to the respect and esteem of men of whatever political faith; as a man who has made good wherever he has been tried; who has proved his possession of the inestimable gift of leadership; who has vindicated the claims to regard of the scholar in politics; who, sensible of the abuses which have come to disfigure the administration of popular government, has not lost a jot of faith in popular government itself; and who is of the type of men in whom lies the best hope of the country's future."

Representative Burleson, of Texas, recently has said:

"It would amount almost to treachery for the Democratic national convention not to seize the opportunity of success that would come to it if it nominated Woodrow Wilson."

For my part, I believe our great Party has such clearness of vision, sanity of judgment, and breadth of ideas, that it will not neglect this splendid opportunity of elevating to the high office of the Presidency a real statesman and a great patriot.

*William F. McCombs*

## SPIRIT OF THE TIMES TYPIFIED BY WILSON. (*Des Moines News.*)

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WOODROW WILSON typifies the new spirit of the times in things political. He is the embodiment of the new thought in the nation.

This clear headed and profound scholar brought to the Iowa people a message of hope and good cheer. He came carrying the standard of a progressive army of thoughtful Americans, fully determined that whatever else may happen it shall be brought about that this shall again be a government by and for the people.

In his Coliseum address the governor properly assumed that there are tendencies in American life that are wrong, that evils have grown up, that we have got away from the moorings of a free government. No need to discuss these things. But what is the remedy?

He analyzed the problem with the dispassionate logic of the great university teacher before his class. He was especially happy in his characterization of the problem as one relating to "privileged business" rather than "big business," for it is not size so much as it is the enjoyment of special privilege that makes some business destructive of all that is good in commercial and political life. He was right, too, in leading back to the original source and refuge of all special privilege—the protective tariff.

Without attempting to go into details he pointed out that the remedy that we all are seeking must be secured, if at all, through agencies that are free to act. No axiom of the school books could be plainer.

Woodrow Wilson brings to the people a message they hear with eagerness because they want just such a message. He speaks from the standpoint of the lifelong and earnest student

of world politics, as one who has approached the subject with ripened intellect and well trained mind and following the eternal principles of truth, has reached a conclusion that can not be assailed. Without any oratorical flourishes he holds his audience entranced. He says nothing but that which he knows to be true. He makes no use of merely fine sounding phrases. It is cold logic, yet told in simple and direct language.

Here, then, is the new man in politics, a man come as a prophet among us to preach the new gospel. We have come upon a new time, when things are different, when the problems are not what they once were, when the people are eager for some discussion of present-day politics in the light of present-day conditions. That is why Woodrow Wilson's message to the people is so refreshing, so inspiring, so helpful.

Whatever else they may do, the Iowa people, without regard to the particular party tag they are just now wearing, with small consideration for the grandfathers' prejudices, owe to Woodrow Wilson a vote of thanks for the battle line for he has shown us that which lies just beyond.

## WHY OSCAR UNDERWOOD SHOULD BE ELECTED PRESIDENT.

BY JOHN H. BANKHEAD.

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OSCAR W. UNDERWOOD is Democracy's best asset. He should, therefore, be nominated at the Baltimore Convention.

Oscar W. Underwood is the nation's best asset. He should, therefore, be elected to the Presidency of these United States in November.

He has had the necessary training for the position through his eighteen years of service in Congress. He has the mental ability, the temperament, the soundness of body, the vision, the bigness of statesmanship that measure up to the requirements of the Executive office. He has, through his position as leader of the majority in the House, made the tariff the paramount issue in American politics, and the tariff, revised downward, is the issue of all issues in which the whole American people is most concerned.

The manner in which Mr. Underwood as floor leader has harmonized the Democrats of Congress is one of the most miraculous feats of modern political history, and has demonstrated the force and powers of leadership of the man.

He has secured, through his work as Chairman of the Ways and Means Committee, the confidence of the country at large, and confidence is the preëminent qualification that a President must possess to give to the public mind the quietude that is essential to the prosperity of the nation.

The favor with which the public regards Mr. Underwood is based upon a nation-wide admiration for his courage, his sanity, his aggressiveness and his conservatism.

He stands for the essentials in Government, and he stands for them because he believes in them with all his soul and not because it is good politics.



### JOHN HOLLIS BANKHEAD

Chairman of the Underwood National Campaign Committee, is U. S. Senator from Alabama. Was born in Moscow, Ala., September 13, 1842, and is a farmer. Was Member of Congress for nine consecutive Sessions prior to his election to the Senate.



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His comprehensive patriotism was shown by his position on the iron and steel schedule, giving as it did absolute refutation to the cynical axiom too long dominating American politics: "The tariff is a local issue."

It is this sinister policy that has thwarted every attempt satisfactorily to reform the tariff in the past, and Mr. Underwood has established a new standard for political action by leading in the only possible way by which the tariff *can* be revised downward.

This is what the Underwood leadership has to show for itself. I can not remember any Democratic leadership that has ever yet been equally successful. If we credit this to the tact and wisdom of the leader the praise belongs to Mr. Underwood. If we credit it to a spirit of harmony on the part of the Democrats we must still give the leader a large part of the praise, for there would have been no unanimity in following a leader in whom the Democrats of the House had not in all respects a full confidence.

We all admit our indebtedness to Mr. Underwood. Why not choose for our leader one who has shown such masterful capacity for leadership? He is safe, sane, progressive. He is a patriot, a statesman, and a gentleman. And above all, he is from head to foot, from tip to tip, a Democrat.

Mr. Underwood can be trusted as a leader in making the laws,—can he not be trusted, as Chief Executive, to execute them?

If Mr. Underwood has the ability necessary for the responsible position of leader in the law-making branch of the Government, has he not the ability necessary for the Executive head?

The public sees in him a broad and patriotic American; incorruptible, of high courage, of sound and stable views, with none of the elements of the doctrinaire, and faithful in his friendships.

His close attention to duty, his tact, his good judgment, his force—all are qualities needed in a President.

As a man, his character is above criticism; his personal probity is unchallenged; his fidelity to duty is unquestioned; in the realm of politics, he is sane in action, wise in counsel, just in judgment, and comprehensive in scope of vision.

With rare acumen, remarkable industry, high character, extraordinary ability, and finished classical and professional education,

he could have gone North and rapidly forged to the head of the bar in New York and there won fame and fortune; but he preferred to remain with his people and to help in working out the momentous and perplexing problems which have confronted them for the past quarter of a century, but which are now happily being solved.

He entered Congress when the South had not yet emerged from the thralldom of the partisan politicians, and set himself quietly, faithfully and fearlessly to work towards restoring that section to an equal voice in the councils of the nation.

He pursued steadily his great purpose, without blare of trumpets or personal pomp and parade, until he was made Chairman of the Ways and Means Committee and leader of the Democratic party in the national House of Representatives, where he had more than once vindicated the wisdom and confidence of his Democratic colleagues. He is now no longer merely a Southerner, but an American, and the South is recognized as an equal in the national councils.

Qualities of character and not location of residence should be the deciding factor in the availability of any Democratic presidential candidate.

In every line of business, in the broader field of educational life, in the wider view of philanthropic endeavor, and in every avenue of general activity, a unified sentiment of fraternity seems to pervade our common country. It is impossible, therefore, for the day of mere sectional and political proscription to continue.

The call upon Mr. Underwood issues from influential quarters in all sections,—a signal fact that permits it to be recorded that for the first time in fifty years the availability of a Southern man prompts no mental reservation on the score of section.

Mr. Underwood belongs to a generation that has grown up since the late unpleasantness, he is a leader in a new epoch of history. He is a native of Kentucky, that state that gave Lincoln to the nation; he is a broad minded American in every sense of the word.

He is fifty years old, the golden age of man.

His way is not the blazed and blazoned way. His progress has been steady, but there have been no loud announcements of the stages reached on the journey upward. There have been no meteor flights—it has been a steady, flickerless light, as it

grew normally to the ability for meeting needs and conditions.

His disposition is to persuade rather than to drive, to counsel rather than to command.

He is discreet in speech, his appeals being to the thinking rather than the unthinking.

His career is well under way, and his preparedness through that career of service eminently qualifies him for larger service in the Chief Executive office.

His views on public questions are in accord with the fundamental principles of the Democratic Party as those principles were established by Jefferson.

His intellectual and temperamental qualities approach more nearly than those of any other man in political life today, the historic ideals established by those incumbents of the Presidency who have inspired public confidence, respect and affection.

Under the leadership of Representative Underwood the promises of the party to the people and the legitimate business interests of the country are being made good.

He has broken no promises, he has violated no friendships, he has proven traitor to no principles, he has given way to none of the fads and follies of the times; he is simply an old-fashioned Democrat of the Jefferson school, a statesman of the Washington type; a sane, discreet, honest man in thought and purpose, and the people will flock to his standard because they know that they can trust him.

The people demand a downward revision of the tariff, and Oscar Underwood, the recognized leader of the opponents of the present protective tariff, is the logical man to head the fight.

He is logically the personification of the absorbing and paramount issue which stares the country in the face, and for the just solution of which, the Democratic party, if successful, must courageously fight—tariff reduction and reform against protection—the mother of the trusts.

He is equally sound upon all other Democratic issues, but he typifies the Democratic party upon THE great issue of the coming campaign—tariff reduction and reform.

He is a man of natural force and large capacity for work,—and workers are what we want in executive positions.

By his long service in the Legislative branch he has gained a profound knowledge of the science of government.

Mr. Underwood has made a widespread and distinctive im-

pression, not only as the honest, bold, sagacious leader of the House Majority, and not only as a masterful Democrat, but as an American publicist and statesman—a man of affairs and of broad concept of his responsibility to the whole people.

Every section of the country recognizes in Oscar Underwood that high character, civic virtue, wise and constructive statesmanship, and broad patriotism which peculiarly fit him for the executive chair.

*J. H. Barkhead*

## A GOOD SIGN. (*Birmingham Age-Herald.*)

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OSCAR UNDERWOOD has been the logical candidate for the Democratic presidential nomination ever since he demonstrated his mastery of the tariff question and his exceptional ability as a party leader in the extra session of Congress last year. In this great Alabamian are combined absolute moral courage, all the civic virtues and singular capacity for handling complex economic problems.

The Democratic party has had no stronger man in public office since the war than Underwood; and yet the country at large was slow in appreciating the fact that Underwood was the man above all others best equipped for leading the party to victory this year. But he is at last being accorded first rank by the press, Republican as well as Democratic. Leading Republican papers are having editorials every day on Underwood.

A few weeks ago the Republican papers were still treating him with indifference, so far as the presidential nomination was concerned. Now they are beginning to lambaste him, which shows they fear him. The Republicans would rather see anybody else at the head of the Democratic ticket. Washington correspondents of Republican papers are finding all sorts of little reasons why it might be inexpedient for the Democrats to nominate Underwood, admitting at the same time that he is now leading all the other candidates and will probably be chosen the standard bearer.

As the time for the Baltimore convention approaches, Underwood's chances are indeed splendid. It looks now as if he would be nominated on the second or third ballot.

# The Theatrical Business of Today

By ROBERT GRAU

**EDITOR'S NOTE:**—This is the second of the Grau series of articles on musical and dramatic topics. Mr. Grau is well known in the amusement world, having been connected managerially and professionally with Grand Opera, theatrical productions and vaudeville entertainments. He is a brother of the late Maurice Grau, the world-famous impresario of the Metropolitan Opera House, New York City, and is author of several works on operatic and theatrical matters that are recognized as authoritative.

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It is an amazing fact and anything but an edifying revelation that there were fewer than half as many famous players featured at the head of theatrical organizations in 1911 as there were in 1891.

In 1901 there were three times as many stage celebrities of stellar renown, whose fame and artistry enabled a manager to conjure with them. Think of that, ye optimists—three times as many stage favorites whom the public idolized then as today.

The disastrous conditions now prevailing in theatredom, outside of New York, do not explain the apathy on the part of playgoers. People flock to see plays and players today, but the potency of individuals is not so great that people will stand in line for hours as formerly in order to obtain from the box office the choice places. Time was when a play by the most celebrated author required only a popular stage star to attract the public, and such names as Mary Anderson, Margaret Mather, Julia Marlowe, Clara Morris, Rose Coghlan, Richard Mansfield, Lawrence Barrett, John McCullough, and others, were a sight draft on the public purse.

As an illustration of the changed conditions in this respect, it may be stated that at the present time Julia Marlowe and E. H. Sothorn, in combination, despite the fact that they present elaborate productions on a scale far surpassing those in vogue years

ago, do not attract as large audiences as either star alone was able to draw a decade ago. Moreover, the scale of prices for their productions is one-fourth lower than formerly prevailing for either artist when they appeared separately.

At a banquet recently given by the Lambs Club of New York City to disengaged players of high grade, eighty-five actors, many of them being stars whose organizations had disbanded prematurely, sat down to discuss their affairs. Among the diners were such well-known public favorites as Wilton Lackaye, Douglas Fairbanks, Edmund Breeze, John Barrymore, Thomas Wise, and the late Wright Lorrimer.

When the reader is informed that no fewer than seventy theatrical organizations were forced to close their season after a single week in November, some idea may be formed as to the conditions that brought about this unique gathering.

The situation in New York City does not reveal to those who are not intimately acquainted with actual conditions the appalling slump that has befallen the amusement calling, but this fact is due to the effort that is always made to congregate in the Metropolis the "hits" of the entire theatrical output, and it would be strange indeed if there were not enough compelling attractions to make a good front in the theatre zone of "The Great White Way," yet even in New York City the producing managers are facing problems that have never before confronted them. Fully one-third of the theatres here have reverted to the camera man, and hardly a week goes by without some theatre management, weary of meeting deficits, avoids bankruptcy by installing a moving picture machine. The silent drama does not require that the "ghost" should perambulate, and the spectacle of a crowded theatre from noon to midnight, even at bedrock prices of admission, is one that is not to be resisted by the rank and file of the managers. .

That the moving picture has had a great deal to do with the slump in Thespis can not be denied, but other factors have their influence, such as the constantly improving style of entertainment given in the large restaurants, such as Louis Martin's and Shanley's, and also in the principal hotels. This is so true that the Association of Vaudeville Managers, known as "The Trust," has placed an embargo on all artists to whom they issue contracts, forbidding them to appear in any establishment where food is supplied to the spectators.



Still another serious factor, though not yet so formidable as it is likely to become, is the new fad of "the intimate theatre" and "the theatre in the home," that are the result of the vogue attained for scientific inventions, such as the phonograph and the player piano, which have combined to reduce in the homes of the wealthy the demand for musical talent.

Many clubs in all the large cities are erecting these intimate theatres and the entire entertainment is supplied through scientific and artificial simulation of singers and players rather than through artists, with their exorbitant demands.

The most discouraging feature of the situation is that there is no present indication of any change for the better. Instead, there is a constantly increasing vogue for the silent drama, the phonograph, the player piano, and the "unit orchestra," invented by Robert Hope-Jones, which does away with the corporal presence of the musician. This "one man's orchestra" has in many localities proved a serious rival of even the Cinematograph.

One must believe that the actor to a large extent makes possible the great success of the motion-picture industry, for he is an absolute necessity for the original output of photo-plays, yet it would be a decidedly heartrending situation on "the Rialto" if it were not for the employment of professionals, over four hundred players being now permanently engaged by the film manufacturers, and it is a mistaken idea to assume that these are minor players. The author recognized on one reel, exhibited by the Vitagraph Company, four well-known actors whose weekly salaries have never been quoted in recent years in less than three figures. The roster of this company contains no fewer than fourteen actors and actresses who at some time in the last two years were members of Charles Frohman's companies.

Strangely enough, Grand Opera is having the best year of its entire régime, despite that the scale of prices has been increased and this proves that the conditions are favorable for public patronage if that public gets what it wants.

In vaudeville, the situation is not of the best. The men who have amassed great wealth in this field no longer find their position as tenable as it used to be. The encroachment of the "Pop Vaudeville Theatre," the vogue of the silent drama, and the advent of the "food" theatre will have all conspired to reduce the patronage in the regular houses.

That this must be true is evidenced by the announcement that

the Vaudeville Managers are limiting the compensation to the "headliners" and hereafter such salaries as \$2,500 for a week's engagement of Eva Tanguay, for instance, and \$4,000 for a similar period for Harry Lauder, will be tabooed.

But this is not the problem that the managers have to solve. William Morris, who pays Harry Lauder \$4,000 a week, states that he finds the clever Scotchman the cheapest actor he ever employed, while Eva Tanguay, even at \$2,500 a week, is engaged fifty-two weeks in the year. The real causes of the great slump in the theatrical business are many and complicated; the principal factor, however, has been the revelation of the working masses as being the controlling element in the scheme of public entertainment, and that this being true, new conditions have been created. The head of a family need no longer pay \$2 a seat in the quest for entertainment; he has become wise in his generation, and is aware of the fact that he can go to the "cut rate" stores on Sixth Avenue and secure excellent seats, quite as good as are sold at the box office for \$2, at half this price, and very often still cheaper. How true this is may be gathered from the statement here made that the second largest theatrical firm in this country and one controlling a dozen New York theatres is wont to distribute among these cut rate agencies as many as two hundred seats for each of their theatres not housing an absolute "hit." This means that the firm in question is in receipt of an average of not less than fifteen hundred dollars weekly for the sale of seats through this source.

One of these cut rate stores is presided over by a man who has amassed so much wealth that he has actually become the "backer" of one of the most important theatrical producing firms. We know of two large theatrical institutions affiliated with the cut rate agents, and how desperate must be the situation is evidenced by the fact that these agents combined dispose of two thousand reserved seats for New York theatres for a single performance. This vast public is by no means composed of the poorer classes, but, on the contrary, many of our wealthy citizens and their families have taken advantage of this practice, with the resultant effect, that once in a position to purchase seats at half price they are decidedly reluctant to pay full price, and if they can not get seats for the best theatres for a cheap rate, they accept what the agent has to offer.

Another phase of the situation is the tremendous popularity

of the theatres conducted by Mr. Marcus Loew, a man who five years ago was operating a small theatre in Harlem—a sort of Nicolodeon. He foresaw the popularity of this form of entertainment and today he is extremely wealthy. He owns or leases a dozen theatres in New York City alone, and some of these houses are conducted on a high plane, although no seat costs more than twenty-five cents.

Mr. Loew presents quite as good entertainments at these prices as the higher priced vaudeville theatres, hence the theatre-going public, largely composed of the working classes, no longer frequent the older type of entertainment, and instead of going once a week and paying from \$6 to \$9 for seats for a family of six, the head of the family patronizes the Loew theatres three times a week, getting as good entertainment and never paying more than \$1.50 for six seats.

William Fox, who operates three theatres on East 14th Street within a few yards of each other, has made them immensely successful.

In the last two months four Broadway theatres have played to empty benches, except on Saturdays. Three others are altogether dark, while in four playhouses the scale of seat prices has been reduced twenty-five per cent., but without any perceptible improvement. There are those who believe that the only solution of the problem confronting the higher grade theatrical managers lies in the presentation of the best plays and players at a scale of prices about one-half that now charged.

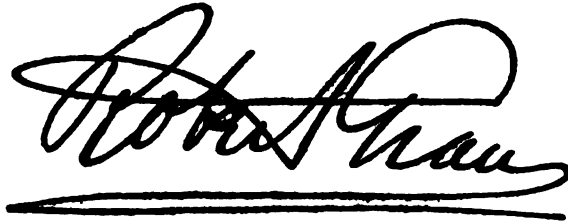
Thousands of theatre-goers of older days now go to the big restaurants for their entertainment, if not exclusively, at least often enough to mean a distinct loss to the theatrical managers.

Another serious menace to the theatre of to-day is the vogue of the automobile, particularly during winter when the weather is not too inclement; and this has had the effect of making the theatrical seasons shorter in each successive year, so that now the manager is reluctant to open his theatre for the winter season until late in October and with the first sign of spring he is ready to close. In short, he is "up against it."

It is an actual fact that in one of Broadway's best and newest theatres, a play by a famous author was recently presented, on a pleasant evening, by a star of international fame, to an audience representing at the box office exactly \$24. This may seem almost incredible to the lay readers, but there is still another theatre

on "The Great White Way," a house famous for past successes, that has not had one paying week the entire season, while there have been many weeks at this playhouse where the gross receipts for eight performances did not reach \$600, and this included the Saturdays when theatres reach their harvest.

In this article I have endeavored to summarize the factors that have brought about the present diminution in patronage by theatre-goers of the high-priced theatres, and the effect of mechanically operated plays at low prices upon the theatrical business.

A handwritten signature in black ink, which appears to read "Robert Shaw". The signature is written in a cursive style with a large, looping initial 'R'. Below the signature is a thick, horizontal black line.

## Contemporary Journalism

¶ In this department of The Editorial Review we publish each month the history and growth of a newspaper of prominence. In this number we sketch the successful career of the Independence Daily Reporter.

¶ We also reprint here carefully selected editorials on the vital questions of the day, in which public opinion is reflected and presented unbiassedly in the most forceful and telling manner. To the individual reader it would be an almost impossible task to cull these editorials, for it involves the perusal of thousands of newspapers. Through its trained staff, however, The Editorial Review is able to present this compendious résumé of the best, keenest and most up-to-date contemporary opinion, as set forth in the leading newspapers, the value of which for future reference can not be overestimated.

### SAN ANTONIO [TEXAS] EXPRESS.

THE San Antonio Express of today stands as an epitome of the development and advance of the City of San Antonio and, indeed, of the State of Texas, especially in its southwest section. Since being admitted to the Union in 1845, this largest of the great sisterhood of States has greatly contributed to the nation's prosperity, and has shown a wonderful growth in its cities. Among these, San Antonio may be said to take metropolitan place, and the San Antonio Express is its leading newspaper. Like many other newspapers it is an evolution, having its beginning in the far past days of small things, practically in the days "before the war."

In 1861, in the second story of a building located on the south side of the Main Plaza in San Antonio, James P. Newcomb commenced the publication of a small weekly paper to which he gave the title of The Alamo Express. Its strong opposition to secession, the leading issue of the day, caused great indignation.

Newcomb's policy became more and more unpopular, until one night his printing office was visited by a mob, which "pied" his type, wrecked his press, and threw much of his material into the street. Mr. Newcomb thereupon left the city and joined the Federal Army. During the time of his absence the paper was suspended, but near the close of the war he returned and resurrected it and during the reconstruction period carried on its publication.

In 1865 The Alamo Express was purchased from Mr. Newcomb by Messrs. Pollmer and Siemering, who changed its name to the San Antonio Weekly Express and not long afterward converted it into a semi-weekly, publishing it in the same building with The Freie Presse Für Texas, a German daily, also owned by Mr. Siemering.

During a strike of the employees of the old San Antonio Herald, John, Ike and George Martin, Charles F. Cotton and Herman Schuetze, typesetters, and Charles Seabaugh, a reporter, on the Herald, purchased the Express from Pollmer and Siemering, and being joined in the venture by E. A. Siceluff, also a practical printer, who became its business manager, with Colonel Gillespie as its editor, converted it into a daily in opposition to the Herald.

Later, Frank Grice, an all-round newspaper man, arrived from Kansas City and became connected with the paper. Mr. Grice at first worked at the case, but recognition of his ability soon placed him in the position of city editor, and it was not long afterwards that he became the managing editor. Under the management of Mr. Grice the paper gained great popularity, and in the course of time he purchased the controlling interest and became President of The Express Publishing Company, which position he occupied at the date of his death in 1907, when his widow succeeded him and held the controlling interest in the paper for several years thereafter.

A reorganization was effected January 1, 1911, which resulted in the election of the following officials: Robert Maverick, President; Frank G. Huntress, Jr., Vice-President and Business Manager; C. V. Holland, Secretary; and Mr. Ellison, Treasurer, and these officers are its present management.

The editors of the Express have been men of ability, many of them having been more than usually brilliant. Major J. J. Dickinson, now a prominent New York City journalist, was at one

time one of its editors; also Harry S. Canfield, who was succeeded by W. C. Brann. The present managing editor is John R. Lunsford, who has been prominent as a journalist on the staff of the principal newspapers of several prominent cities of the West and Southwest. He is ably assisted by the veteran journalist James Hampton Sullivan, and by a large staff of writers, each competent in his own line. The editor-in-chief is Hollis W. Field, one of the most polished and entertaining writers of today, who in this position is doing effective work for Texas.

No newspaper in the country is better manned to promote the interests of its section than is the San Antonio Express. An increase in the city's population, during two years, of some forty thousand argues a need for activity and ability in the journals that keep the people in touch with matters affecting all their various requirements and interests. This demand the San Antonio Express has met in all its departments. An increase in circulation of some six thousand copies daily during a period of six months indicates a soundness of vigor which is the surest claim that a newspaper can make to public respect and increasing demand. The high standard of the paper has been maintained and both employer and employees help to widen its influence in developing the material interests of the State. The entire staff are proud of being both Texans and San Antonians.

## NEUTRALITY LAWS WILL BE ENFORCED.

*(San Antonio Express.)*

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It is not likely there will be any more shipments of arms or ammunition from this country to aid the Mexican revolutionists or any further violations of the neutrality laws on this side of the border since the passage by Congress of the Root resolution and the proclamation of the President giving it force and effect.

Heretofore refugees from the other side of the Rio Grande have been permitted to plot treason against their government and foment revolutions while their agents and sympathizers were smuggling arms across the border and they have been treated with such leniency as did not deter them from violating our neutrality laws. Henceforth it will be different.

Under the Root resolution the President is authorized absolutely to prohibit the transfer of arms and other munitions of war from United States territory to any neighboring countries where a condition of domestic disturbance exists and the President's proclamation specifically recognizes such a condition in the republic of Mexico. To smuggle arms across the border or otherwise to violate the neutrality laws of this country will hereafter be treated as a misdemeanor, punishable by a fine of \$10,000 or imprisonment for two years, or both, and the President admonishes citizens of the United States and all other persons that the law will be strictly enforced and enjoins upon all officers of the United States charged with the execution of the laws to use their utmost diligence in bringing offenders to trial.

While all the members of the Texas delegation in Congress aided in procuring the passage of the resolution, Senator Culberson and Representative Slayden and Garner were specially active in its support and the effect of it will be to relieve Texas of a great deal of responsibility and concern in the matter.



Whatever may be the sentiments or sympathies of individual citizens of the State, formerly resident in Mexico, the people of Texas at large are opposed to any interference with the internal affairs of the sister republic and sincerely anxious that there shall be no occasion for intervention, for that would mean an expense to this country of not less than a hundred million dollars and possibly the loss of many lives. While the United States would not stop at any cost to perform a solemn duty, it has no other desire or purpose than to protect the interests of its own citizens and to maintain the friendly and harmonious relations which have so long existed between this Government and the other countries of this hemisphere.

There will be no more hatching or promoting of Mexican revolutions on American territory and no one is better pleased that this is so than Texas and Texans.

## RECIPROCAL BORROWINGS.

(*Chicago Tribune.*)

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THE United States has borrowed some good ideas from Germany and could with profit borrow more. Occasionally Germany returns the compliment not merely by copying improved American machinery but in other ways.

The German government, which controls the telegraph service, evidently keeps posted as to the way in which that service is managed in other countries. It has introduced the night letter telegram, of which Theodore N. Vail of the Western Union was the originator. The German postal officials learned that it was highly popular here, especially among business men. They concluded that it would be equally useful and popular in Germany. As the government is always ready to do anything that will help business, it welcomed cordially the American innovation.

The telegraphic day rate throughout the empire is a cent a word. The rate for the night letter telegrams is one-twentieth of a cent a word. That is a low rate, but we may be sure that it is not an unprofitable one or it would not have been adopted.

America has repaid in part its indebtedness to Germany.

## PANAMA AND CANADA.

(*Detroit News.*)

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It is beginning to be appreciated by outsiders as well as by ourselves that the completion of the Panama Canal will work great transformation in commerce, economics, geography, population centers and travel. At this moment, perhaps, no people have a more lively sense of the importance of the great canal than the railroad builders and the people of western Canada.

A peculiar rivalry has arisen between the Grand Trunk Pacific Railway and the Panama enterprise as to how soon each will be completed. The builders of that road from Quebec to Prince Rupert, in British Columbia, openly avow their intention of completing their Pacific coast terminal in time for the Panama Canal opening, and of putting on a line of steamers which will carry all the grain of Alberta, northern British Columbia and the great Peace River district through the Panama Canal to the ports of Europe. The Grand Trunk Pacific was to be completed in 1915. Now that President Taft has announced that the canal will be opened in July, 1913, the Canadian railroad builders announce that their road will be completed then, too.

All the Pacific ports of the United States and Canada are spending millions of dollars to improve their harbors in anticipation of this trade. There are in the making northern Pacific ports that will prove the natural outlet for the great west, and the advantage of the cheap water rates will give that coast a boom which it has never before experienced. If one considered the matter in a narrow parochial light, the digging of the canal might be regarded as of no material benefit to the great lakes district, but rather a detriment, because of the diversion of the channels of trade, the upsetting of lines of travel and the formation of new centers of population in the far northwest, not contributory to us. But, as a matter of fact, every dollar well spent on the coast will help the commerce of the whole continent. We would rather manufacture for a future Prince Rupert of 500,000 people than for a lesser one.

## THE "OPEN DOOR" CLOSING.

(*Providence Evening Tribune.*)

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CURRENT developments plainly point to the paramount dominance of Russia and Japan in the Far East, with the prospects for American trade in that part of the world distinctly darkened. The "door" which John Hay opened is closing.

Turkestan, already a Russian province in fact, will no doubt soon be that also in name. The vast territory of Mongolia, though going immediately, with its proclamation of independence of China, under nominal subservience to the Dalai Lama, is really in process of passing under the rule of Russia as surely as if that country of nomads had been formally annexed to the Czar's dominions. With the disruption of China various plans of other nations, which have been long maturing, are being hurried to consummation.

It is reasonable to suppose, among other things, that Russia and Japan have a distinct understanding regarding the partition of the northern parts of the breaking Manchu empire. What this is in its precise details we can not conjecture. But it seems probable that when the trans-Mongolian railroad is built Japan, controlling lower Manchuria and Port Arthur, will be content to see Russia obtain in the Gulf of Liaotung the ice-free port she has long been seeking. With such an arrangement it is not likely that either Great Britain or Germany would now interfere; the possession of Wei-hai-Wei by the former and of Kiao-Chow by the latter measurably protects the Far Eastern trade interests of both.

But where does the United States come in? The end of the Manchu dynasty is at hand; the establishment in its place of either a republican or a constitutionally monarchical government that will be able to unite and hold together the rebellious provinces is going to be very difficult, and the often prophesied partition of China may soon be carried far beyond the present beginnings. It is a time of readjustments when every nation interested must be paying heed to the impending effects upon itself. But of all the nations having interests in the Far East none is so nearly isolated as is the United States.

## THE INQUIRY INTO THE COST-OF-LIVING QUESTION.

*(New York Evening Post.)*

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It is to be hoped that the New York Chamber of Commerce will give its emphatic approval to the project placed before it recently, looking to the establishment of an international commission on the cost of living, upon the initiative of the United States. The stupendous difficulty and the enormous importance of the inquiry alike make the coöperation of the leading nations of the world essential to its successful prosecution; and it was a most happy inspiration that led Prof. Irving Fisher of Yale to propose the scheme, and to sound prominent economists, in this country and Europe, as to the desirability of such a plan. His inquiries have met with the most cordial response on all sides. The feeling is everywhere manifest that the economic disturbance produced by the world-wide rise of prices in recent years, and the distinct possibility of further experiences of the same kind, make the undertaking of a truly comprehensive and searching inquiry into all phases of the cost-of-living question a matter of cardinal importance to every industrial nation at the present time. Some look forward to remedial governmental measures as a possible or probable outcome of the inquiry; but, irrespective of any such prospect, it is felt that a really thoroughgoing research into the facts will be sure to prove of the highest practical importance, as well as of great scientific value.

The mere ascertainment of the extent of the rise of prices which has taken place, and its character, will be an undertaking of prodigious difficulty and of very high importance. To get at the nature and the seriousness of such increase as has taken place in the cost of living will require not only a vast amount of minute inquiry, but also genuine sagacity and judgment. What is wanted is something more than mechanical averages;

and even for the getting of such averages in a proper way a great deal of skill, as well as labor, is required. Only the conclusions of a body composed of the ablest experts, basing their results upon ample and fully analyzed material, can be of real value. It is of the utmost importance to know in what measure the pinch of high prices which has led to widespread and ominous disturbances in so many countries is a manifestation of a general fall in the purchasing power of money or of the failure of money wages to rise in corresponding degree; and in what measure, on the other hand, it is to be traced to exceptional or inordinate advance in those necessities most vital to the workingman's welfare. The findings of an authoritative international commission on these and a variety of cognate questions could not fail to be of profound influence upon general thought and action.

Of even more acute interest and probably of more practical effect would be the Commission's inquiry into causes. First and foremost stands the question of the influence of the vast increase in the world's stock of gold, and the correlative phenomena relating on the one hand to the world's monetary and credit arrangements and on the other to the increasing volume of production and of business. But it is not to be supposed that when the international commission once got to work upon its great problem, it would confine itself to phenomena expressly connected with the question of the recent rise in prices. In a number of directions, the conditions of the past few years have centered attention upon questions which are not in any way new, but which have acquired a new intensity and importance under the pressure of the cost-of-living agitation. The influence of protective tariffs, the part played by the arrangements of middlemen, and by the profits of retailers—these things may not have undergone any particular change, but their share in the determination of prices has assumed a new prominence in the public eye. With German cities undertaking, upon a considerable scale, the functions of the food-merchant, and with sporadic experiments of the same kind going on in this country, an inquiry into the possibilities of lowering retail prices by coöperative expedients and otherwise might well form an important chapter in the Commission's labors.

Possibilities of a more ambitious nature are suggested in the preliminary sketch of the Commission's contemplated work. It

will be expected to give consideration to "the problem of preventing changes in the purchasing power of the monetary unit, as, for instance, through monetary or banking legislation." That it will be able to accomplish anything in this direction seems to us highly doubtful; but that is certainly no reason for refraining from the attempt. The subject is of such vast moment that any real illumination of it must be regarded as justifying all the labor and expense that may be necessary to secure it. While the gold standard, and that freedom of banking arrangements based upon it which now prevails, is in all probability the best thing available and will long continue so, yet there is not the same reason for complacency in regard to it that there was a dozen years ago. We have seen regrettable and even sinister phenomena arising from the instability of prices; and it is not impossible that future developments in gold production may produce disturbances more serious than anything we have seen. Both with reference to the past and present and with regard to the possibilities of the future, the concentration of the best economic thought of the world on this question is most sincerely to be desired. Taking the inquiry as a whole, we feel sure that the United States by initiating it will do a great and lasting service to the world, and will be readily followed by the leading European nations.

## JAPAN'S GREAT PROBLEM,

(*Mexican Herald.*)

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POLITICS in Japan do not center about another great foreign war, but the more vital question at home of the great tax burden. General elections for the House of Representatives take place next year and the two great parties, the Unionists and Nationalists, are lining up for the fray.

Heretofore there has been little radical difference in the platforms of opposing factions, all working for progress and development of the nation. "Thus," a resident authority writes, "their separate organizations presented an academic aspect; they seemed to be struggling to discover a breach, rather than striving to promote a principle. Events, however, have corrected that anomaly. The Nationalists have now found their gospel in finance. They will present themselves to the constituencies as champions of reduced taxation."

Further explaining the causes of the present campaign and the national attitude, this correspondent says:

"It was universally anticipated that, after the restoration of peace in 1905, the special taxes imposed for the purpose of carrying on the war would be remitted. But on the conclusion of the great contest Japan found herself in the position of a householder with largely extended premises and an increased establishment. Saghalien actually, Korea virtually, and Liao-tung prospectively had been included in her domain, and her national debt had been quadrupled. Was she to rise to the level of her new opportunities, or was she to sink to her old rule of self-effacement? If the former, then she must develop her belligerent strength and remove her load of debt. If the latter, then she might remit her war taxes and reduce her armaments. The Katsura cabinet was in office when this choice had to be made. But the decision did not rest with the cabinet alone. The Unionists had to be consulted, since without their coöperation the support of the Diet could not be obtained; and the Unionists had



not a moment's hesitation. They voted for the imperial program as alone adapted to the preservation of peace.

At first it seemed as though the whole nation was of one mind. In the fictitious atmosphere of prosperity that followed the war, people scarcely felt the weight of their fiscal burden, and heroic measures suited the temper of the time. By degrees, however, it began to be perceived that the country's material development did not keep pace with the empire's expansion. The redemption or consolidation of large blocks of the national debt had the effect of making money cheap and causing state securities as well as commodities to appreciate; but the drain on the people's pockets remained as heavy as ever, and began to be more and more onerous in proportion as the great pageant out of which the debts had grown faded into a distant vista. Would it not be wiser to remit the whole, or a large part, of the war taxes, and thus by encouraging the spirit of productive enterprise to expand the nation's revenue? That question is now on many lips; and, although the Unionists will go to the polls with all the *éclat* of an overwhelming majority—220 seats out of 376—they will certainly cease to commend themselves to some of the constituencies if they appear as the advocates of needless taxation.

## THE POSTAL SAVINGS SYSTEM.

*(Newark Evening News.)*

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JUST one year ago the postal savings bank system was inaugurated by Postmaster-General Hitchcock. It was an experiment authorized only after a hard fight and in the face of bitter opposition.

Members of Congress pooh-poohed the plan. Influential Senators condemned it and predicted failure. Some banks and trust companies vigorously opposed it as likely to interfere with their business, and the savings banks were certain that it would seriously reduce their deposits and probably compel some of them to close up.

The postal savings banks were to pay but two per cent. interest and receive no sums greater than \$100, while ordinary savings institutions paid four per cent. on deposits and received any amounts up to \$500, yet the consensus of financial opinion seemed to be that the government's postal plan would result in great damage to the old-established institutions.

Yet the postal savings system has thus far proved one of the most extraordinary successes of recent years, beneficial in every respect and harmful in none. It has made manifest, in an unmistakable way, the unwisdom of the Congressmen, the Senators and the financiers who opposed it, and it has proved advantageous to not a few who originally condemned it.

During the first six months of the postal bank experiment 400 banks were established, and the deposits aggregated \$677,145. Since then the number has been increased to 7,500, and the deposits now aggregate something like \$15,000,000, with \$1,000,000 a week coming in. The limit of individual deposits may be increased to \$500, to allow all to patronize the new banks who desire to do so.

From whence came all this hard cash? Not from the ordi-

nary savings banks, for these show as yet no corresponding diminution of business. Not from the national banks and trust companies, for they are doing more business than ever before. It appears to represent the hoarding and hidings of the thousands of small landholders and wage-earners who felt that their savings were safer in their own homes than in the banks. Such fears may not have been warranted in reason, but the millions of dollars deposited in the postal savings banks is evidence of the fact that a good many humble toilers have more confidence in the government at two per cent. than in the banks at twice that rate of interest.

And not only the government depositors but many others have been benefited by these banks. The money has gone into the national banks and thence into circulation instead of being withdrawn with disadvantage to business of all kinds.

It would be difficult to point to a financial feature adopted by this government that was more strenuously opposed when under consideration by Congress and by standpatters in general, or that has proved a more extraordinary success in proportion to the business involved in a single year.

## FRANCE ANTI-CHRISTIAN?

(*Cleveland Leader.*)

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IF the religion of a country depended, as it often did in simpler ages, upon the beliefs and predilections of its rulers, France could no longer be counted a Christian nation. It would not even be a state with any religion.

Few Americans realize to what lengths the government of France has gone in warring upon Christianity. By successive steps it has made the schools, for instance, wholly irreligious and finally turned them into places for the teaching of hostility to the Christian faith and contempt for its beliefs.

Thirty years ago the government limited the teaching of duty to God to the setting forth of that obligation as a part of natural and philosophic religion. The next step was to cut out of the school text-books all reference to God, though the process necessitated rewriting a multitude of passages. And now French public schools have come to the stage in which children must use books ridiculing and condemning Christianity.

Even references to great historical personages and edifices distinctively Christian have been put under the government's ban, as far as possible. In the manual which teachers must have and consult, Christianity is said to be inferior to Buddhism and prayer is called a waste of energy. All religion is described as a spiritual opiate, not a healing medicine. It is impossible for the Christian world to witness this spectacle without deep regret and much anxiety for the future. But God-fearing people feel that if any great nation must turn anti-Christian and anti-religious in its government, it might better be France than any other. France alone does not grow. France alone is becoming swiftly and surely weaker, measured by the power and virility of its neighbors. In many ways France is admirably fitted to be the "horrible example."

## SOCIAL SHIPWRECK.

(*Indianapolis Star.*)

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FROM time immemorial when wayward youth has strayed from the path of convention and met the frown of society, it has grown defiant and set up moral—or immoral—standards of its own, only to find that they lead to misery instead of happiness. Our standards of social ethics are not the result of religion alone, though unquestionably Jesus of Nazareth gave voice and vitality to a saner, a more logical, a better code of ethics than the world had before known. And none of the innumerable efforts to improve upon it since His time has produced anything worth while.

Civilized man centers his rules of conduct about the family and the family relation. While it is perfectly true that the human heart can love more than one, and that love for one may change for many causes, and while it is true that the rest of the animal kingdom mates but incidentally or for a season at most, the experience of the ages has taught man that more of individual happiness can be found through the single marriage relation and the work of man and wife together in rearing a family and perpetuating a name. Human intelligence, human sentiment, human aspirations are so far above the plane on which other animals exist that the one can in no way serve as a criterion for the other.

And so these "social conventions," or rather social institutions, are not merely an arbitrary system of law. They are the result of thousands of years of human experience, burdened with sorrow and with joy. They mark the acceptance of that which has been found profitable in the pursuit of happiness and the elimination of millions of social experiments, large and small, that have proved disastrous.

Notwithstanding most of us know these things in a general

way, notwithstanding most of us know something of the sweet content of a home where love rules, and though we also know how much of misery may lie in mistaken marriages, we send our sons and daughters forth in the world with practically no instruction or guidance whatever on this most important thing in life—right conduct in the marriage relation, conduct that will hold love and ripen it into that beautiful settled affection that makes of home a heaven. When weak and foolish youth spatters its brains out against the stone wall of “social conventions,” how much of the responsibility lies with the father and mother?



## Literary Notes



At the present juncture of affairs, when the first skirmishes in the Presidential contest are giving indications that the battle will turn largely upon men's conception of what is democracy, a book entitled "The New Democracy," written by Walter E. Weyl, Ph.D., and published by The Macmillan Company, will be welcomed by all who value illumination on the political and economic tendencies of today in the United States. It is apparent to the most superficial observer that we are passing through a period of general unrest and are revising our ideals because of the conditions that prevail. Those conditions lead some critics to assert that "American democracy is in process of decay." Some even go so far as to foretell the dissolution of the Republic. In a word, many have lost faith in our traditional democracy. The "Insurgent" movement in Congress is but one out of hundreds of symptoms of a wide-spread revolt in men's minds, of a new spirit that is abroad in the land, and that is seeking expression. Dr. Weyl asks:

"Is our new democracy merely the old democracy in a new coat? Is it a return to the past or a turning from the past? Is it an imported creed or a belief of native growth? Is it high-hung Utopia or an attainable end? Is it a destruction, or a fulfillment of the fundamental law of American development? Whence does it come? Whither does it lead? What is it and what is it to be? What does it mean for better or worse to the common run of us?"

These questions are treated by giving a scholarly historical review of the progress of American democracy and a presentation of the factors that plutocracy has injected into the traditional spirit. The plutocrat believes that the masses of the people are always wrong and can never free themselves from a certain ineradicable perversity. By denying the possibility of a democratic revolt plutocracy makes it inevitable, and "just as 'the old nationalism' found its highest expression in opposition to an ethically dead slavery—so in a common antagonism to a

towering, menacing plutocracy men imbued with new ideals and new hopes are uniting to establish in America a full, free, socialized democracy."

This work can not but deeply interest thoughtful students of present-day problems, upon which much new light is shed by the author.

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The best means of dealing with the great combinations of capital known as the Trusts is a question of supreme moment to every citizen of the Republic. "A Curb to Predatory Wealth," by W. V. Marshall, recently published by R. F. Fenno & Company, takes up certain aspects of the problem of controlling Trusts. The author contends that Anti-Trust legislation has been a failure, largely because it has *arbitrarily* prohibited, and he suggests that a fundamental principle of economics is needed in order to meet the exigencies that arise. His panacea for the ills brought about by capitalistic greed is a graduated property tax which, he contends, would "eliminate the Trust system through rendering it less remunerative for capital to be invested in huge monopolies than in independent enterprises." This would result from taxing large combinations and private fortunes at a higher rate than small holdings. No change would be needed in the present machinery of government to put this system into operation. The subject is treated in a way that indicates careful and earnest study and a firm belief in the practicality of the plan that is put forward to meet the conditions existing under the tyranny of the Trusts.

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The authors of "The Practice of Journalism" have essayed an ambitious task and they have accomplished it most admirably. The very title shows how wide a field has been covered. The book is practical and it is based upon actual experience along the lines of journalistic endeavor in all its phases and departments—editorial, publishing, advertising, selling, news gathering and news distributing. Of late years the schools of journalism and journalistic courses have revealed to the general public many "inner mysteries" of a profession that contributes so much to the quota of human thought, progress and happiness. In one of his delightful essays Macaulay tells of the days when in the country districts of England the metropolitan newspaper was passed down from the squire's hall to the



humblest retainers on the estate, reaching their hands sometimes three or four weeks after date. He contrasts the newness of the news then and now. That essay was written many years ago. Today the newspaper is ubiquitous, its editions legion, and its importance to the good of the community ranks only after the influence of the home, the church and the school.

In former times the pulpit served not only the purpose of religious and ethical instruction, but also was the means of giving to the public the news of the day. Those who have read a sermon of Barrow's with sometimes twenty-four headings, and the delivery of which lasted many hours, will realize how a preacher provided the congregations with a bird's-eye view, so to speak, of the current happenings of the times, interspersed with religious teaching. Those sermons still remain as models of some of the purest English in the language.

Mr. Gladstone used to say that he knew few works that served as better models for well Anglicized diction than Barrow's sermons. His great political rival, Benjamin Disraeli, while not endorsing the religious side of that same literature, paid an almost equally high tribute to its rank from a merely good English point of view. In the days when Barrow preached he acted not only as spiritual counselor, but a purveyor of news and opinions of the day.

The newspaper has, to a large extent, replaced the teaching of the Church, in the home and in the school. It has become one of the necessities of our present civilization, and a mighty force that has to be reckoned with by all who have the leadership in movements political, social and international. It is therefore of the utmost importance that the press should be maintained at a high level of efficiency and purity. "Journalalese" English has passed almost into a byword of reproach. This should not be, and we are glad to know that there is a distinct trend among the better class of newspapers towards an elimination of slang and colloquialism, so that eventually the tone will be raised and journalism will take the higher place, because the more literary one, to which it is only justly entitled.

These thoughts are suggested by a perusal of the book under review. It is characterized by thoroughness and earnestness of purpose; the worth-while features of modern journalism are placed before the reader in perspicacious manner, and the whole

work will prove a valuable text-book, serviceable not only to journalists in *posse*, but to journalists in *esse*.

It were invidious to single out for praise any one chapter where all are excellent. We can not, however, help calling attention to Chapters 3 and 4 in Part IV, and the chapter at the end, which will be useful for reference and save much time to the busy worker in journalism. The book bears the earmark of thorough and scholarly treatment, and is, so far as we know, the only one of its kind that takes the reader through *all the various stages of journalistic practice as it is followed today*.

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The Reform of Legal Procedure, by Moorfield Story, contains the addresses delivered in the William S. Stokes Lecture Series before the Law School of Yale University. The author is an ex-President of the American Bar Association and stands high in his profession. The book defines the responsibilities of the lawyer for the abuses that exist and that require rectification by reform of judicial procedure. At the present time both the Bench and the Bar are being criticised and denounced in many quarters and from various standpoints, and a great deal of loose thinking is tending to obscure the real issues. Mr. Storey points out how fallacious is the reasoning along these lines in certain cases. He quotes Lord Brougham as to the duty of a lawyer to a client. This dictum occurs in the argument for Queen Caroline, one of the most notable pieces of forensic oratory of that period, and reads as follows:

"An advocate, by the sacred duty which he owes his client, in the discharge of that office, knows but one person in the world—his client and none other. To save that client by all means and expedients, to protect that client at all hazards and costs to all others, and among others to himself, is the highest and most unquestioned of his duties; and he must not regard the alarm, the suffering, the torment, the destruction, which he may bring upon any other."

Mr. Storey goes very thoroughly into the main controversies that are now being widely discussed in regard to reform in legal and judicial procedure and practice in our Courts, so that even-handed justice may be meted out to all alike, and that the ægis of legal protection shall be spread over the humblest citizen equally with the most exalted.

We commend the book highly to all thoughtful students of today's problems.

Königskinder (Royal Children) is a charming, albeit sad, fairy-lore opera, which, when it was presented at the Metropolitan Opera House, New York City, two years ago, was recognized by music lovers as adding fresh laurels to the fame of Engelbert Humperdinck, whose "Hänsel and Gretel" achieved such a remarkable success. Lewis M. Isaacs and Carl J. Rahlson conceived the happy idea of preparing a guide to Königskinder, illustrated, and so described that anyone unacquainted with music can quickly become familiar with the principal motives, and so can listen more intelligently to the score. Part I tells the story, and Part II analyzes the music. The book is simply written but captivates the reader by its fairy-story style.

*Havelock Fisher.*

The New Democracy. By Walter E. Weyl, Ph. D. The Macmillan Company. \$2.00 net.

A Curb to Predatory Wealth. By W. V. Marshall. R. F. Fenno & Company.

The Practice of Journalism. By Walter Williams and Frank L. Martin. F. W. Stephens Company, Columbia, Missouri. \$1.50 net.

The Reform of Legal Procedure. By Moorefield Storey, Yale University Press. \$1.35 net.

Königskinder (Royal Children.) By Lewis M. Isaacs and Kurt J. Rahlson. Dodd, Mead and Company. \$1.00 net.

## With Our Publishers

WE continue to receive direct and indirect testimony to the fact that THE EDITORIAL REVIEW is appreciated by thoughtful men and women in all departments of human activity, and that it makes friends wherever it becomes known. This seems to indicate that our magazine fills a felt need. It is further evidenced by the fact that THE EDITORIAL REVIEW has been adopted as a reader in several High Schools, and that many debating societies are subscribing because of the pro and con presentation of the subjects treated. We have received from such societies many inquiries as to whether certain topics have been covered or are to be covered in the near future in our magazine.

Among the latest to enroll as subscribers are many of the leading bankers and banking establishments throughout the country.

To the appeal made in this department in our March number for criticism and suggestions from readers and friends of THE EDITORIAL REVIEW we have received most gratifying responses.

One subscriber asks us to give a brief biographical note under the photograph of each contributor of the articles. Hitherto we have included this in the department of Timely Topics, but realizing that the suggestion is a good one, and that the juxtaposition of photograph and data regarding career, together with the writer's appended signature will bring his personality most vividly before the reader, we have adopted the suggestion in the current issue.

A prominent Senator from the South suggests that we should have a Summary Section giving each month in condensed form the editorial comment of the leading newspapers of the country on today's vital topics, thus conserving the time of the busy man while enabling him to keep informed on present problems and conditions. We feel that the idea is excellent and this new department will probably be begun in our May number.

Among articles that we intend to publish in early issues of our magazine are the following:

"The Humanizing of Prisoners," by Mrs. Ballington Booth.

"The Effect of Labor Unions Upon the Body Politic," by D. H. Corcoran, LL.B., Associate Editor of "The Longshoreman."

"The Struggle for the Preservation of the Fur Seals and the Sea Otter," by Congressman William Sulzer, of New York.

"Causes of Labor's Unrest," by James P. Murray.

"Popular Election of Senators Under the Federal Constitution," by Samuel Russell.

"Ballot Marking in Great Britain and the Dominion of Canada," by James H. Frink, Mayor of St. John, N. B., Canada.

"Government Ownership of the Express Companies," by Congressman David J. Lewis, of Maryland.

"The Free Soil Movement in Canada," by Ernest Cawcroft.

From this conspectus it will be seen that THE EDITORIAL REVIEW will keep its readers informed on subjects that are engaging much public thought and attention, as vital to the progress of our nation.

# THE EDITORIAL REVIEW



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President

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## CONTENTS

	PAGE
The Political Conventions . . . . .	483
Timely Topics . . . . .	485
Constitutional Amendments as Against Recall of Decisions	
<i>James B. McDonough</i>	489
<i>Iowa Daily Nonpareil</i>	500
<i>Jacob G. Schmidlapp</i>	508
<i>Brooklyn Citizen</i>	507
<i>Edward F. Brown</i>	509
<i>Dayton Journal</i>	520
<i>W. V. Marshall</i>	522
<i>Providence Journal</i>	525
<i>Anthony Ittner</i>	526
<i>New York Times</i>	534
The Effect of Labor Unions Upon the Body Politic,	
<i>David H. Corcoran</i>	535
<i>Duluth Herald</i>	539
<i>Robert Grau</i>	540
Labor Should Meet It . . . . .	
Shall the Players Vote? . . . . .	

## CONTEMPORARY JOURNALISM

The Duluth Herald . . . . .	542
The Neglectful Voter . . . . .	<i>Duluth Herald</i> 544
The National Conventions . . . . .	<i>Louisville Times</i> 546
The Southern Delegates . . . . .	<i>Springfield Union</i> 548
Money in Elections . . . . .	<i>Harrisburg Star-Independent</i> 550
The Democratic Problem . . . . .	<i>New York Sun</i> 551
The Test of Democracy . . . . .	<i>Baltimore Sun</i> 551
Ages of 27 Presidents . . . . .	<i>Birmingham Age-Herald</i> 553
A King's Passing . . . . .	<i>Indianapolis Star</i> 554
Why Prices are High . . . . .	<i>Troy Times</i> 555
The Color Line at the Bar . . . . .	<i>New York Evening Post</i> 557
The Southern Sociological Congress . . . . .	<i>Dallas Morning News</i> 560
The Venetian Campanile . . . . .	<i>Providence Sunday Tribune</i> 563
The Life of Service Is the Useful Life . . . . .	<i>Dallas News</i> 565
Literary Notes . . . . .	567
With Our Publishers . . . . .	571

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**THE EDITORIAL REVIEW** is a high-class journal of original thought and the medium for the selection and presentation of dominant editorials of the daily press, thus denoting the views of different sections of the country.

It appeals to those who desire information on questions of high particular and general import. It is a class publication for those who wish to keep pace with every important movement in current general history.

# THE EDITORIAL REVIEW

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## THE POLITICAL CONVENTIONS

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THE forthcoming conventions will differ from any hitherto held, the system of Presidential primaries having introduced a new factor that changes radically the old order of things. In the campaign preceding the conventions this year there has been witnessed the sorry spectacle of the President and a former Chief Executive engaged in an acrimonious personal controversy, that is to be deprecated by all who are jealous of the dignity of the Presidential office.

Large appeal has furthermore been made rather to the feeling than to the thought of the people. Orderly government under constitutional safeguards will, however, continue its triumphant course, the passing appeals of the demagogue notwithstanding.

Baseless pretensions and half-truth statements can not long endure the test of sober scrutiny and calm judgment. The lessons of history guide us, and fundamental principles tried and tested by time are still respected.

Innumerable are the instances in history of leaders placing before the people proposals that at first sight appeared seductive, but the perniciousness of which was revealed on closer examination and reflection.

A good deal of idle talk has given rise to the impression that, somehow, the people rule on their own initiative, independent of leadership. What the people really do is to rule by choosing a leader who represents one set of policies as against a rival leader with another set of policies, to solve the problems that confront the nation. Leaders place their ideas, their programme, before the people who approve or disapprove, as the case may be. This expression of approval or disapproval determines the party that for the time being is in control of power. Since civilization reached the stage of representative government, this has been the way in which the people's voice has made itself heard, that is, through their elected representatives and leaders.



There is much popular interest in the result of the convention, for the aspirants are all potent personalities, both on the Republican and the Democratic side. After the nomination a good deal of quiet thinking will be done by many who are now carried away by the impulse of the moment in regard to certain issues that strike at the very foundations of American representative institutions and ideals.

The sober judgment of the people is, we feel confident, opposed to a one-man power or to a Diazification of the Presidential office. The people can be confidently counted upon to do their duty when there is any attempt by an individual, no matter how gifted he may be, to assume the rôle of autocrat and seek to subvert the fundamental structure of our government.

Among many wise warnings uttered by Abraham Lincoln the following is at the present moment one to be carefully heeded. Seventy-five years ago in an address before the Young Men's Lyceum at Springfield, Ill., upon "The Perpetuation of Our Political Institutions," he said:

"Many great and good men, sufficiently qualified for any task they should undertake, may be found, whose ambition would aspire to nothing beyond a seat in Congress, a Gubernatorial or a Presidential chair. . . . *Towering genius disdains a beaten path.* . . . It thirsts and burns for distinction. . . . Is it reasonable, then, to expect that some man possessed of the loftiest genius, coupled with ambition to push it to its utmost stretch, will at some time spring up among us? . . . Distinction will be his paramount object, and although he would willingly, perhaps more so, acquire it by doing good as harm, yet that opportunity, being past and nothing left to be done in the way of building up, he would set boldly to the task of pulling down."

With a strong nominee on the Democratic side, that party would have a golden opportunity to retain its power in national affairs. On the Republican side the contest is between the "New Nationalism" and the personality of its protagonist, Theodore Roosevelt, and the conservatism represented by William H. Taft. Principles should triumph over personality and patriotism over partisan spirit. The man who can best meet the test of soundest principle and highest patriotism should be chosen by the people for safeguarding our country.

THE EDITOR.

## Timely Topics

*Constitutional Amendments as Against Recall of Decisions*, by James B. McDonough, strongly opposes the recall as destroying the judiciary and as being an assault upon the Constitution. Mr. McDonough urges an amendment of the Constitution, if for instance, it does not permit proper laws for the protection of labor in dangerous employment and give adequate compensation in case of accident. He deprecates, however, the destruction of "our splendid judicial system, which is the balance wheel of American institutions." The real remedy for judicial incompetency, dishonesty and corruption in office is by impeachment and not by recall of decisions, and it is pointed out that the war upon the courts of law is a political outcry resulting from five classes of decisions during the last seventeen years. If, he contends, the judiciary is to be blamed, much more blame must be given to Congress and the people in regard to the "wrongs" arising from these classes of decisions. After discussing the evils that would follow by taking away judicial power from the judiciary and placing it in the hands of the majority of the electorate, Mr. McDonough maintains that the true remedy in the premises lies within the Constitution and not without it.

*The Relations of Capital and Labor*, by Jacob Schmidlapp, deals with a question that is to the fore at this time in all the principal civilized communities. Mr. Schmidlapp contributed to the number of THE EDITORIAL REVIEW a thought-compelling article on "Profit Sharing," explaining in detail and lucid manner advantages of such a system. The subject on which he now writes is the relations between capital and labor. He refers to the bonus plan as an incentive to wage earners to increased interest in their work and to greater efficiency, resulting in larger profits to the employer. Discussing the minimum wage theory at present being tried in England and to the conditions in several industries in that country, Mr. Schmidlapp expresses the conviction that under our form of government the State should be relieved as far as possible from interference with labor and that its demands should be met by larger sympathy on the part of employers and greater

efforts to ameliorate the condition and environment of the laborer. He calls attention to the harm that Socialists are doing in preaching gloom instead of sunshine and emphasizes the supreme importance of saving by the wage earners. Economy connotes the safety of individuals as of nations. The facts and statistics given by Mr. Schmidlapp are exceedingly pertinent to the labor problem as it is at present before us.

*The Mining of Anthracite Coal*, by Edward F. Brown, presents significant historical and contemporary facts regarding this industry in the eastern portion of Pennsylvania. Mr. Brown has made a study at first hand of the conditions obtaining there today and his illuminating article will interest all who are alive to the important problem of protecting employees in hazardous occupations. The tables of statistics of fatal accidents in the coal mines of North America, and particularly in the anthracite coal region, are startling in the extreme as showing the immense toll of human life that is claimed by the coal mining industry. It is a deplorable fact that the fatality rate on this side is above the average in the principal coal producing countries of the world. The causes are discussed in detail, and the story told of the wanton waste of human life, especially among children, "can only call from the consciences of the American public the severest censure." The article concludes with a review of some of the great industrial disturbances caused by disputes between the operators of mines and the mine workers during recent years.

*The Graduated-Tax Protectionists*, by W. V. Marshall, demonstrates the analogy between the protective tariff and a graduated property tax, the latter supplementing the former and carrying it to a logical conclusion. Mr. Marshall has written a book entitled "A Curb to Predatory Wealth," in which this branch of political economy is treated at length. In the present article the principles on which graduated-tax protection is founded are laid down clearly and supported by a statistical table of telling interest. The plan of taxation proposed would, he contends, destroy the Trusts by utilizing the basic principle of self-interest. The good that would result from its adoption by the opening up of competition among all branches of trade is explained. There would be an equalization of supply and demand and protection against not only foreign encroachment but also encroachment from

within. In a word, "while tariff must be established to shield us against the *designs* of predatory combinations abroad, the Graduated Property Tax must be applied to prevent the *existence* of predatory combinations at home."

*Closed Shop Unionism*, by Anthony Ittner, is a forceful indictment of the methods employed by the American Federation of Labor. Mr. Ittner was engaged in business in St. Louis many years before closed shop unionism was instituted in this country, and he writes from knowledge gained by his experience as a large employer of labor. After serving in municipal and State offices, he was elected in 1876 to the forty-fifth Congress. The article comments upon the attitude of certain ministers of the Gospel and others in regard to organized labor, as shown in the case of the McNamara brothers. It contrasts the Gompers' Federation with the Brotherhood of Locomotive Engineers and refers to the Trades and Workers Association at Battle Creek, Michigan, narrating a princely offer made by C. W. Post, of that city, to Mr. Gompers to examine the methods and workings of that institution. Mr. Ittner quotes from a strong sermon by the Rev. Dr. David James Burrell, New York City, expressing his sympathy with the labor unions as such, but denouncing "their revolutionary schemes," and also gives extracts from newspapers on the closed shop and the McNamara case.

*The Effect of Labor Unions Upon the Body Politic*, by D. H. Corcoran, calls attention to the benefits of these organizations not only to the individual members but also to the public at large. Mr. Corcoran is Assistant Editor of "The Longshoreman," the organ of the International Longshoremen's Association. He considers that the educational value of labor unions can not be overestimated, for the members are interested in public questions of the day by lectures delivered in all the centers of unionism. Trade unions are, he points out, fraternal organizations and constitute a standing protest against the discrimination and prejudice on account of race, religion and color that so greatly retard advancing civilization. The article speaks of what the unions have accomplished in regard to insurance against illness, injury and non-employment, the conservation of health of employees, and the cooperation given to the persistent fight against "the great white plague." Mr. Corcoran concludes by expressing the opinion that "scarcely a greater calamity could befall any nation than the blotting out of the trade union movement."

*Shall the Player Vote?* by Robert Grau, discusses the anomalous position of those engaged in "the amusement calling," so far as the exercise of the suffrage is concerned. The number who are eligible for voting purposes exceeds a hundred thousand and is always increasing. Mr. Grau outlines three ways in which this vote might be polled and refers to plans that are being matured by theatrical managers with a view to legislative action. He calls attention to the influence that this large body of voters might have exercised in previous critical elections, and concludes by saying that some way should be found to remedy the hardship on citizens whose very profession demands "a high rate of intellect for their artistic efforts."





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# CONSTITUTIONAL AMENDMENTS AS AGAINST RECALL OF DECISIONS

BY JAMES B. McDONOUGH.

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To recall a decision which has declared an act of the Legislature void, is to reverse by popular vote the judgment of the court and hold the act valid.

After a court of last resort, composed of judges learned in the delicate problems of constitutional law, has carefully studied, analyzed and construed a law, and has held it void because in violation of the people's will as expressed in the constitution, it is proposed that the electorate of the State shall reverse that decision of the court, thus rendering a decree in favor of the other party.

The recall of decisions, therefore, proposes to reverse or affirm the final judgments of the courts in all cases in which the result turns upon the holding of a law void. In other words, the plan is to have the whole people, by means of a popular vote, give a money judgment in favor of the party who has lost in the courts. It does not answer to say that this power will not be used in ordinary suits between individuals. It *will* be so used because ninety-nine hundredths of all constitutional questions arise only in ordinary suits, wherein one party seeks a money judgment against the other. The scheme can logically exist only in a pure democracy, where the people themselves make the laws, judge of and construe them, and likewise execute them. In such a government no power is delegated. Under our Constitution, however, all active powers are imposed upon the legislatures, the executives and the judiciary. As recall would destroy the judiciary, which is the only check on the other two departments, the scheme is an undisguised assault upon the Constitution itself. It is a plain, open war to the knife upon that wonderful instrument. It deceives no one to say that it is intended to apply to State Constitutions only. The demagogical broadsides in its favor are vicious, open attacks upon the national judicial system. What are the reasons offered as favoring it? First, the unfounded assertion is made that the Federal courts have usurped the power to declare acts of Congress and the State legislatures void. The history of the making



and the adoption of the Constitution, as well as the instrument itself, completely refutes this.

"This constitution and the laws made in pursuance thereof . . . shall be the supreme law of the land and the judges in every state shall be bound thereby, anything in the constitution or laws of any state to the contrary notwithstanding."

Other language of the Federal Constitution makes it perfectly clear that the power to declare an act of Congress void when in conflict with the Constitution was expressly given to the Federal courts. The people adopted the Constitution with that express understanding. Even while it was being framed, several State courts had held the acts of the legislatures of their States void. From the adoption of the Constitution in 1789 down to the decision of the Supreme Court in the Marbury case, there were also several decisions from State courts and Federal courts holding legislative acts void. It was therefore no innovation to place this judicial power in the Constitution. It was, indeed, an ancient and well-known power. It once existed in various forms in Greece, in Rome, in France, in Germany, and in England before the Revolution of 1688. It exists today in Australia. That it does not exist in the enlightened nations of Europe is no reason why it should be destroyed in America. The fact that all other great governments except Australia, for reasons of their own, have abandoned the system as repugnant to monarchies and monarchical administrative systems, furnishes no reason why this great Western Republic should abandon its judicial system and follow the lead of the great European nations which have found such a judicial system undesirable under their particular forms of government. If the European States have advanced ahead of us in enacting needful laws, providing for the protection of labor in dangerous employments, and arranging for proper compensation in case of accident, it is not because of a difference in the respective judicial systems. The fault, if there be one, lies at the door of the people themselves who have the power to make and unmake constitutions at will. If the present United States Constitution will not permit proper laws for the betterment of labor conditions, then amend it at once, but do not destroy our splendid judicial system, which is the balance wheel of American institutions.

But the demagogue crying from the housetops charges that the courts use this alleged usurped power to strike down the laws of the people. It is the act of the *legislature* that is de-

stroyed, and not the act of the *people*. "Legislature" and "the people" are not synonymous terms. To urge a court to uphold an act which is in conflict with the Constitution is to urge the judges to do violence to their oaths of office, as well as to the instrument which they have sworn to uphold. The Constitution, and not the invalid law, has been made by the people. If the two are in conflict both can not stand. The Constitution is the will of the people, and must prevail until amended by them. The judges are the servants, and not the masters of the people. No American citizen looks up to the judges from a position of servility.

Then, too, it is said that decisions should be recalled because judges are corrupt. Some of them may be, but there is less corruption among the judges than among any other class of public servants. In magazines, in newspapers, on the hustings and in the Halls of Congress, the courts are charged with favoring "interests" in violation of their oaths and also with incompetency, dishonesty, and corruption in office. It is said that the judges uphold "festering" wrongs and injustice, and that their decisions "tend to create a bulwark for privilege, a bulwark unjustly protecting special interests against the rights of the people as a whole." A Senator of the United States, representing a State whose two-cent passenger fare law had been held void by the national courts because it confiscated property, in a speech in the Senate chamber, advocating the recall of national judges, declared that the Federal courts "have become an instrument through which the special interests have been enabled to block all progressive legislation of recent years. The judicial ruling power has become a bulwark of special privilege."

If these sensational and serious charges are true, the remedy is by impeachment, indictment and imprisonment, and not by recall of decisions. These generally unfounded charges have led many of the good people of this country erroneously but honestly to believe that the Constitution was designed for the protection of the classes against the masses, and that it is in its effect and meaning unfairly friendly to property rights as against human rights, and that it has been construed and administered with a sympathy leading away from, rather than towards, the rights of man. This belief, widespread as it is, and sincerely and honestly entertained by great numbers of the American people, presents at this hour a national danger

that demands the calm consideration, the best thought, and the soundest judgment of the public.

If these charges of corruption are in any large degree true, the downfall of our beloved nation is imminent, and the fight for freedom is lost. But thanks to the honesty and stability of American manhood, the charges, except in rare cases, are wholly without foundation. As for these rare exceptions, the recall can not change the dishonest heart of the unfaithful judge. Will human nature be changed by making the elector the judge? Will the plan, for instance, tend to increase or diminish the unlawful and corrupting influence of money in elections? In truth these charges of corruption are not honestly believed by the very men who make them. They are the product of political ambition and personal greed. They are the outgrowth of certain decisions, the evils of which the recall can not remove, but which could have been long since remedied by the executives, the Congress and the people themselves. These evils are due more to bad laws and failure or refusal to pass good ones than to an improper construction and interpretation of the laws.

The real truth is that all this war upon the courts is a mere political outcry, resulting from five classes of decisions all made in the last seventeen years, for which, if we blame the judiciary we must blame Congress and the people the more. They are: (1) The Income Tax Decision; (2) the Railroad Rate Decisions, holding that the State legislatures could not destroy property by reducing railroad rates below the point of a fair return; (3) the granting of injunctions in labor disputes; (4) the unsatisfactory results from the decisions in the Northern Securities, the Standard Oil and the Tobacco Trust cases; and (5), the constitutional decisions holding acts of the legislatures of the States void, as in the celebrated bakeshop case.

The wrongs following from these classes of decisions can not be righted by the recall, and they are not sufficiently serious to warrant the destruction of our judicial system. Every real wrong growing out of any of these decisions could have been, and can now be easily and speedily remedied, either by an Act of Congress or by a Constitutional amendment.

In the Northern Securities and Standard Oil and Tobacco decisions an Act of Congress is all that was needed to cure any erroneous interpretation of the Sherman Law. If Con-

gress had not intended that the "rule of reason" should be read into that Act, the court's error could have been immediately corrected by a plain and simple Act of Congress. How quickly this could have been done is illustrated by the immediate action following the recent patent decision.

The Income Tax decision, in 1895, called forth a storm of criticism upon the court, and especially upon one of the judges, because it was supposed that he changed his opinion upon the re-argument. Radical publicists and agitators throughout the country filled the magazines and the public press with severe denunciations of the court. The whole nation was aroused. Yet it took nine years to get an amendment proposed by Congress, and seventeen long years have rolled by since the decision, and the amendment remains unratified. It is still pending before the States, where the governors, the State legislatures and even the people of the States themselves, seem utterly indifferent as to whether it shall ever be ratified or not. Senators of the United States have seen proper to charge the Supreme Court with the loss of untold millions of revenues sustained since the Act was held void. Since these senators and representatives and the whole people of the United States had it in their power under the Constitution to propose and ratify immediately an income tax amendment but have not done so, the blame for this loss rests upon them and not upon the courts. If the people really desire an income tax amendment it would be the part of wisdom to let the present one die and let the Congress which is now in session propose another, leaving out the objectionable features of the pending one. By pursuing the method suggested, this new one could be ratified before the end of the year.

The same is true of the bakeshop decision, against which there has been such a hue and cry. In that case the Supreme Court of the United States held the law of the State of New York, limiting the hours of labor in bakeries, void, because in conflict with the freedom of contract clause of the Federal Constitution. That decision was handed down in 1905. It is now contended that it was a national disaster, and that it destroyed all hope of any State passing the necessary laws for the relief and protection of men, women and children in bakeries, mines and factories. If that be true, then the decision was a national calamity at the time it was rendered. Therefore, when Congress met in December, 1905, the then

President of the United States should have recommended, and Congress should have proposed an amendment to the Constitution of the United States, giving power to the States to pass all needful laws regulating hours of labor in bakeries and all similar callings. No such amendment was suggested or proposed. At the head of this great nation at the time of that decision stood the most commanding figure of our time, then the most influential man in the world. At the height of a brilliant career and crowned with mighty achievements for the betterment of his own country, and the entire world, no other man ever had a more inviting opportunity to call an extra session of Congress to prevent the "festering" wrongs growing out of this decision. Yet nothing was done.

It is further urged, as a reason for the recall, that the Constitution of the United States is inflexible and most difficult to amend. This is also an erroneous view. It is admitted that there is a widespread belief sincerely entertained by many judges, lawyers and laymen, that the Constitution of the United States is inflexible and almost unamendable. A study of the Fifth Article of the Constitution will easily demonstrate that this belief is not well founded. Because it requires two-thirds of Congress to propose an amendment, and three-fourths of the State legislatures or conventions to ratify, it does not follow that it requires three-fourths of the people of the United States to adopt an amendment. A majority of one vote in the legislature or the convention in three-fourths of the States would ratify. If the legislature of each State desiring to sound the will of the whole people thereof, should submit the question of ratification to the electorate of the State, a power which the legislature undoubtedly has, a majority of one in each of thirty-six States would be ample to ratify. If the Congress should propose ratification by a convention instead of by the Legislature, the same reasoning would apply. Therefore three-fourths of the States might be carried by a majority of one in each State, and the amendment ratified although the vote of the other twelve States might be solidly against it. As the vote is taken by States, it is therefore entirely possible for an amendment to be ratified, although a majority of the popular vote in the Union might be against it. The determination of the method of ratification is left entirely to Congress. A two-thirds majority is required to propose, but a bare majority may select the method. Congress in proposing an amendment, may lawfully call upon

the executives of the States to call an extra session of the legislatures immediately for the ratification of the amendment, or it may submit the amendment to conventions and call upon the States to call the conventions at once for an immediate ratification vote. As the power of Congress is supreme in this method of proposing, it may unquestionably limit the time within which the ratification vote shall be taken. This power of limiting the time has never been exercised because, with the exception of the pending income tax amendment, there has not been unreasonable delay.

In the first Congress twelve amendments were proposed and ten of them ratified by the States in two years or less. Two failed. The eleventh amendment was ratified in about three years, the twelfth in nine months, the thirteenth in eight months, and the fourteenth and fifteenth in two years each.

From the foregoing it will be seen that no sound reasons support the proposed recall; on the other hand many serious objections rise up against it. Its use would tend necessarily to make political trimmers of all judges because each judge, however upright he might be, would want his decisions sustained. Nothing is more human. Hence the minds of the judges might endeavor to ascertain the views of the electorate, rather than base their rulings upon the sound principles which are the foundation of justice. The judges would be found ascertaining in some way unknown to the law, the "prevailing morality" and "preponderant opinion" of the community, holding a law valid or invalid as they might *believe* the people *thought*. This unsound principle that a court may follow what is thought to be the prevailing morality rather than the last word of the people in their written Constitution is the same danger in another form as the recall, and is likewise subversive of the Constitution and of stable government. The idea grows out of the language of Mr. Justice Holmes of the Supreme Court of the United States in upholding the Oklahoma Banking law as a proper exercise of the police power. That opinion has been construed to mean that a court may follow the preponderant opinion rather than the plain letter of the Constitution. Again, as before stated, the recall authorizes a majority of the electorate of a State to render a money judgment in a suit between individuals in favor of one or other of the parties without the electorate taking the time and care to investigate the facts and constitutional questions, involved, as the court has done. Take for illustration,

the Ives case, which has been so much criticized. That was an action by an employee to recover a money judgment for a personal injury, the suit being based upon the Workmen's Compensation Law of New York. The employee recovered a judgment in the court below, and the Court of Appeals reversed it on the ground that the act was void because in conflict with the State Constitution. To recall that decision will be to render a money judgment in favor of the employee against the employer, thus making all the employees in the State of New York judges in their own cases. This is contrary to natural justice, and is also subversive of stable government.

Other serious evils would grow out of these appeals to the people. The electorate would at once be divided into two classes, the employers and the employed. Class hatred and feeling would be aroused to the danger point. The attorneys who won and lost the case before the courts would feel impelled to take the hustings in their clients' behalf. The judges would be drawn into the fight to defend their decisions. Then, after all that turmoil, suppose the case as construed by the electorate is in conflict with the United States Constitution? In addition, the right of having the people decide the case can not be confined to one party. The equal protection of the laws requires the same rights to each litigant. Hence, the losing party when the law is held valid, may appeal to the people, for the latter may think the law invalid. The result is more endless delay. These suggestions demonstrate that the remedy is to amend the constitution. In that way there is submitted to the electorate the plain clear question of the amendment, and nothing else. The question to be voted upon is then determined by considerations of sound governmental policy, calling for the exercise of the good sense and sober judgment of the people, unclouded with passion and prejudice or class hatred.

Again, such a system establishes a government without any written Constitution whatever. The view that the electorate should recall a decision and that a judge may disregard the Constitution and uphold a law in conflict with it, upon the theory that the prevailing morality and preponderant opinion of the community favor the law, as against the Constitution, is obviously dangerous to freedom and destructive of stable constitutional government. Both ideas alike destroy the judicial system. They take the judicial power from the judiciary,

and place it in the hands of a majority of the electorate. Both principles necessarily destroy the written organic law, and establish a government without any Constitution, making the laws dependent upon the whim of the hour or the vaulting ambition of popular leaders.

Another serious objection is that different States would recall different decisions. In the agricultural States decisions adverse to the majority of the people engaged in agricultural pursuits would be recalled. In manufacturing communities the same tendency to selfish legislation would become the rule. Leading reformers in all callings have favored uniformity of laws in all the States. Uniformity in the laws of the various States, not only among themselves, but in connection with the national laws, does much for the general good of the community. The recall of decisions, on account of the local and special interests appealed to, would necessarily destroy all uniformity. It is claimed that the recall of decisions authorizes the people of a State to adopt provisions in the State Constitution to enact a workman's compensation law and other laws for the betterment of labor conditions. The majority of these cases of which complaint has been made, grow out of a conflict between the State laws and the *National Constitution*. Hence to offer the recall to the wage workers, is demagoguery of the purest type. It is to give the laboring man a stone where he has asked for bread. Every one, though he has never studied constitutional law, would know at once that if the State law was void because in conflict with the Federal Constitution, which is the supreme law of the land, it could not be made valid, even by unanimous popular vote of any one State. If the people of New York adopt the constitutional amendment now pending at Albany, so as to authorize the passing of the law held unconstitutional in the Ives case, the question still remains whether said law is in conflict with the Federal Constitution. Obviously, therefore, the recall is idle mockery. The remedy lies in an amendment to the Federal Constitution authorizing the States to pass all necessary laws regulating the hours of labor in all dangerous callings, and also providing for a wholesome workmen's compensation law.

Lastly, this recall of decisions brings into our government the danger of the "personal rule" by destroying or weakening our judicial system, which has stood as the Gibraltar of our Constitution for more than a hundred years. The real force behind this movement is a desire either to destroy or weaken



this judicial system and adopt one similar to that which exists in absolute governments, so that the personal rule of the national hero may have naught to check it. Personal rule leads to absolutism. The judicial power as it exists in the American Constitution is an enemy of absolutism in all forms. The latter dreads an independent judiciary. As long as this judicial power exists, as it now does in the American Constitution, independent and untrammelled, except upon the command of the whole American people, no great and popular national hero can ever over-ride the Constitution of this Republic and destroy the liberties of a free people in the name of freedom itself. While "the greatest curse that a sin-avenging God can call down upon a free people is an incompetent and corrupt judiciary," the greatest and most enduring support to popular government is an able, honest, independent and untrammelled court. The downfall of this judicial power would mean the beginning of the end of popular government in America. It would mean the beginning in this Republic of that personal rule which has destroyed all the great Republics of history. It adds no weight to the theory to say that the recall enables the people to govern themselves, and that the people have a right to rule. The people do govern themselves, and do have a right to rule, and are doing so. Pleasing as it may be to the electorate to be told that they are to become the judges in all cases, and that they are to rule and govern themselves, the wise ones will not fail to see the poison in the offered cup. The cry that the people must rule has been heard before. It was the cry that brought to ruin the first French Republic. In the National Convention which had replaced the old French Monarchy, Couthon, the friend of Robespierre, while concealing the real designs of the leaders and denouncing the personal rule, said :

"But I have heard, not without horror, some speak of dictatorship triumvirate, protectorate. The minds of the people must be set at ease; we must solemnly declare their sovereignty, their entire sovereignty, and invoke execration equally upon royalty, dictatorship, and every kind of personal rule which would tend to modify that sovereignty."

This declaration was followed by the horrors of the French Revolution, and the establishment of an Empire governed by personal rule, destroying the freedom of the people. Destroy the American judicial system, and the same result will follow.

The truth is that the remedy for the evils of the time lies

within the Constitution and not without it. If, as its enemies say, it is not suited to government by parties, the answer is, it is well suited to government by patriots. If parties find themselves hampered by it, it is because they have let the "prevailing morality" of party zeal, or personal ambition rise above patriotism. The grandeur of this Republic, the success of popular government, the rights of man, demand that each citizen be a patriot first, and a party man afterwards. Follow the Constitution. In every crisis it has saved our nation from foes within and without. It will do so now. By it, this great American people will solve their problems with that sober, sound judgment which marks a wise and sturdy nation.

A handwritten signature in cursive script, reading "James B. McDonough". The signature is written in dark ink and is positioned below the main text block.

## THE RECALL OF DECISIONS

(*Iowa Daily Nonpareil.*)

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THE issue projected into current political discussion by Theodore Roosevelt concerning the recall of decisions at first created consternation in the ranks of his opponents. He was assailed with such vehemence that some of his friends were led to believe that he had made a mistake. But the number of legal authorities that have come forward to indorse Roosevelt's position is increasing with great rapidity, and inside of six months the opposition to his plans will be discredited or classified as wholly reactionary.

Mayor Gaynor of New York, who was chief justice of the Supreme Court of his State when named for mayor, and who is regarded as an eminent legal authority, indorses Roosevelt's position. Indeed, Gaynor points out that he, himself suggested the same ideas some three years ago. Gaynor says on this point, in part:

In all ages, and pretty much everywhere, the courts have tried to apply their legal rules of thumb to social, commercial and economical matters, always with signal failure, and generally with injury to industry, commerce and social good.

Nothing is more distressing than to see a bunch of judges, old men as a rule, set themselves against the manifest and enlightened will of the community in matters of social, economic or commercial progress. The same is true in matters of morals and religious growth also. Jesus, Socrates and many who came after them, age after age, fell victims to judicial narrowmindedness. But the adverse decisions of courts have not been able to stop human progress. Sometimes, by creating exasperation in the intelligent mind, they accelerate it. Not to quote other instances, the decision of the United States Supreme Court remanding the negro boy Dred Scott back into human slavery only hastened the coming liberation of the slaves.

Judge Gaynor then cites a number of decisions of the New York State Court of Appeals, among them 98 N. Y. Reports, page 98. With reference to this case he said:

Good men and women who went around alleviating suffering and distress in poor tenements of the over-crowded districts of this city found tobacco being manufactured into various products in these tenements. They found little children born and brought up there in the unwholesome fumes and smells of tobacco. They applied to the Legislature, and had a law passed forbidding the manufacture of tobacco in such tenements

for the future. The court held that it was unconstitutional—that is to say, that the Constitution of this State permits the manufacture of tobacco in poor tenements, and that therefore the Legislature could not forbid it. They professed to find this constitutional permission latent in the general provision in our State Constitution that no one shall “be deprived of life, liberty or property without due process of law.”

The claim that the manufacture of tobacco in such places was detrimental to health, especially to the health of children, and might therefore be prohibited by the Legislature, received short shrift from the venerable and learned judges. They set themselves up as better judges of the question of health than the Legislature. They gave to this constitutional guaranty a meaning never dreamed of in England, from which we took it. The foundation of it is in *Magna Charta*. But no one in England up to this hour has ever imagined that it had reference to anything but the direct taking of a man's property—i. e., his chair, of his cow, of his lot—or the direct restraining of his physical liberty. Nor did it occur to our forefathers when they took it from England and incorporated it into those fundamental instruments of government in this country, state and national, which we call constitutions, that any meaning would ever be given to it except that which it then had. It had then only a direct meaning in respect of the taking of a man's property or the depriving him of his liberty. Moreover, it was a check on the executive branch of government only in England, and not on the legislative, and it was put into our constitutions in that sense.

No one anticipated that it would ever be interpreted as a check on legislative power also, although that interpretation has naturally followed from our system of government. But the carrying of it to extremes by casuistry is another thing. This tobacco case, in which the court showed so much sensitiveness for the rights of property and liberty, and so little for physical, mental and moral health, was the final and full outcome of a course of constitutional exegesis which had set in in this country not many years before, and had for its object to embrace in the said constitutional guaranty every legislative enactment which by its operation might indirectly or remotely restrict the use of property or liberty in its widest sense. Its development was rapid, and finally reached that point which has enabled the courts to stand in the way of measures for the public happiness, welfare, morals and progress, which are grown common all over the world, and finally become expressed in statute law here.

Gaynor is right. His observations are conclusive. Roosevelt is right. His views are sane and sound. They will ultimately prevail. They must prevail if we are to move forward.

Referring to the same subject, S. S. McClure, in his magazine, points out that the courts of Europe have no such authority to nullify acts of legislation and that any effort to vest them with such power would be counted undemocratic and reactionary. Mr. McClure continues:

It is first cousin to blasphemy in the United States, as every political

campaign loudly testifies, to assert that our government under our Constitution is less democratic than that of any other country in the world. But it is exactly because our system of checks and balances so interferes with a simple and direct expression of the majority opinion that one country after another has taken it up, examined it, and put it aside, to adopt the direct majority rule provided for in the parliamentary system of England.

The fact is that the civilized nations of the world, by an almost unanimous vote, are discarding the system of "checks and balances" which constitutes the American form of government. They are establishing instead the England plan, a system designed to register simply and accurately the will of the majority of the people. And in doing this they are in many ways leaving the United States behind in the advance of democracy.

England settled this question two hundred years ago in a great political campaign which took the Stuarts from the throne. Prior to 1688 the English courts claimed, and sometimes exercised, the authority to nullify an act of Parliament, but they have exercised no such authority since that date. The British Parliament is judge of its own powers, subject only to the limitations imposed by the people through what amounts to a referendum.





**JACOB G. SCHMIDLAPP**

Banker, born at Piqua, Ohio, September 7, 1849. In 1890 organized the Union Savings Bank & Trust Company of Cincinnati. Trustee of College of Music, Cincinnati Art School and Cincinnati Law School. Is a director of many banking associations.

# THE RELATION OF CAPITAL AND LABOR

BY JACOB G. SCHMIDLAPP.

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IN THE August (1911) issue of THE EDITORIAL REVIEW I wrote an article on Profit Sharing, Pension and Annuity Funds, in which I outlined the salient features of an organization that has for twenty years been successfully conducted by the Union Savings Bank and Trust Company of Cincinnati, Ohio.

In the present contribution I shall endeavor to set forth other aspects of the important question of the relations of Capital and Labor, about which so much controversy is being carried on today.

Some manufacturers may have found that Profit Sharing could not be applied to their factories. What is akin to it, however, can be so applied. I refer to the Bonus Plan and most earnestly I urge employers to find some incentive that shall give the wage earner greater interest in his work and to compensate him for increased efficiency. Employers can afford to be very liberal in the division of profits that extra effort on the part of the workman produces for the expense of the plant being already provided for, the overhead unit cost for the increased output will go entirely to the firm or company. This plan is being tried by some manufacturers in Cincinnati with good results, and in one plant where the majority of the workers are girls, the average bonus during the past year was sufficient to care for their savings fund. The gain to the company has been even more than the total bonus.

This idea is not brought forward with any motive of reflection on the plans of the labor unions. However, the more closely allied labor becomes to the institution for which it works, the necessity for, and expense of, outside organization is lessened. Under present conditions the demands of labor organizations and even some of the claims of the Socialists must be considered by employers.

In England the minimum wage plan is being tried. This is one that is not in sympathy with the ideas of the economist. We are always freer, however, to criticize the conditions in a foreign country than those in our own, and it may not be uninteresting to outline the working of this new plan.



The so-called Trades Board Bill of 1909 applied to only four industries. In order that the justification for this Act may be understood and the conservative way in which the Arbitration Board handled it may be realized, some startling facts must be borne carefully in mind. The average weekly wage, for instance, of the women chain makers at Cradley Heath was found to be from four to seven shillings. The conditions in the so-called sweat factories in the Nottingham lace trade were somewhat similar. There a minimum rate of two and three-quarters pence was fixed, with the understanding that, after a year, it would be increased to three pence per hour. From the low wage originally paid it will be obvious that some action, either by the State or by other bodies, was absolutely necessary in these factories.

I am of the opinion that in the United States under our form of government, and where our efforts, so far to lower prices by enforcing competition have resulted in higher cost, the State should be relieved as much as possible from the necessity for interference of this kind. This can be accomplished here by employers who sympathize with the demands of labor using their best efforts to ameliorate the laborer's condition.

In an organization in Cincinnati with which I am associated, a scientific test is being made of school children over the age of fourteen applying for work certificates. Experts have found that in making psychological tests the sociological condition of the family is revealed, and vice versa. In examining the intellectual condition of the child, the home conditions of the family are found reflected. This is not universally, but very generally, true.

Years ago, under different conditions in factories, it was possible for us to judge from the disposition of an employer the kind of workmen who, as a rule, were under him. The contentment and prosperity of the workman always reflected the power and interest of their employer. The same moral influence arising from close personal contact between master and apprentice has unfortunately been largely lost in our great industrials; but I believe that, if the effort is made, a master mind could again bring about a similar relationship by using his influence through the heads of departments who, in their turn, would extend it to the laborers under them. That this could be done with profit to both the establishment and the employee no one doubts.

I have referred to the theories of Socialists and said that some of their demands should be considered. The harm they do is not so much in their theories as it is in the preaching of them. Afflicted as they believe themselves to be, they go about instilling even into children the gloom that is in and about them, and that they must not expect any change until their theories are instilled into our form of government. How much better it would be if they preached sunshine instead, and advised their children to try to improve their condition, and to overcome the drudgery of their employment, which they can largely do by taking an interest in their own work, and by trying to do better each day than they did the day before.

I have said heretofore, and I repeat it now, that I believe the safety of society is in economy, both for individuals and for nations. When the laborer shall get into position so that he can save a dollar per week, and when the employers shall be willing to care for this upon a six per cent. basis, the former will have accumulated at the end of a lifetime's work—say forty years—\$8,000, a splendid nest egg for the second generation. If this were the average accumulation of the ten million wage earners of this country for forty-seven years, they would be in entire possession of the present wealth of the nation. This is a way in which the Socialist can legitimately work out his theory of more equitable ownership of lands and capital. Let him instead of preaching despair, teach the wage earners that by saving one dollar per week, their families may become the world's capitalists.

I have said ten million wage earners. This is a little less than one-third of the gainful population of the country, and I assume it is safe to say that at least this amount has an average wage of a little over \$12 per week. If we included all those in gainful occupations, it would only require a saving of five cents per day to meet with the same result of shifting capital from the idle rich, as the Socialist is pleased to say, to the deserving poor, and lest this article may get into the hands of one of the disciples of the cause I am referring to, who might misunderstand me, I will say that by the nation's wealth I mean everything—not only the banks and factories, palaces and farms, but everything contained therein.

I want also to make clear, however, that in no way would I have this policy of saving carried to such an extent as to

impair the efficiency of the worker, or to lower the necessary and intelligent standard of living.

The wage earner will tell us that with \$9 per week he can barely live. This is true, and such a man has our sympathy, but I say with \$15 per week he can save out of this, without hardship, \$2, and the wages of the ten millions whom I have mentioned before are a little above the average of these two amounts.

On examining into the sociological conditions of families in Cincinnati, whose children have applied for work certificates, we find that the average wage of the father is \$13.44 per week. In another class of wage earners, including some known as salaried workers, whose children have applied for educational assistance, we find that the average wage is \$14.80 per week. These figures make no allowance for non-employment, but on the other hand, as they do not include families which do not apply for assistance, we may say that the average given is rather below than above the general average for Cincinnati.

As a sample of what may be done on a small weekly wage, I have found from an examination of between four and five thousand Italian emigrants in this city, that the average saving per family of those who do save, is from five to eight dollars per month. These families of course represent their better class of wage earners, although the standard of living of these Italians is not the same as of the American laborer, nor would we have them the same, but their average pay is much less than the average pay for the American laborer.

I feel sure that the reader will agree with me that I have not overestimated the value of systematic and frequent savings. Many large fortunes of today had their beginning in small weekly savings. When one's child complains he lends a friendly ear in the hope of being able to help and improve it. In the same way when the wage earner complains, employers should consider the grievance in order to learn his needs and to help him. Such friendly interest will bring happiness where it can do the most good; it will improve the employee and the employer alike; it will also strengthen society and the government that society has created.

*J. G. Schur's Bluff*

## THE LABOR PROBLEM

(*Brooklyn Citizen.*)

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IN the course of a speech recently in London before the Bankers' Association, the British Premier, Mr. Asquith, referred suggestively to the recent coal miners' strike and the problems related to it which remain unsolved. Without committing himself to any definite proposition, the tendency of what he said was toward compulsory arbitration, a tendency which was also disclosed by Lloyd George, Chancellor of the Exchequer, in the House of Commons.

What Mr. Asquith particularly urged upon his hearers was the necessity for something more than a surface examination of the current disturbances. Merely to settle a strike by making concessions, sure to be followed by demands beyond the power of employers of the most generous and conciliatory disposition to grant, was, he made it clear, not a procedure worthy of the leaders of national industries. Sooner or later there must be a stand made upon principle, if the endless struggles between capital and labor are not to result in widespread wreck and ruin. What other principle than that of arbitration may be successfully invoked, Mr. Asquith did not indicate, nor is it probable he was thinking of any other. To have the mind of the country directed to the growing necessity for the adoption of some such remedy was evidently the chief aim of his address. This is the more likely in view of some remarks dropped by him when the coal strike was in progress. When the representatives of the miners were threatening to reject his measure for the appointment of district boards of arbitration, with whom should be lodged the power to fix a minimum scale of wages, he hinted quite broadly at the more coercive action which might be taken by the government.

The strike, it is not too much to say, was brought to a close by the understood determination of Mr. Asquith to resort to compulsory arbitration if the milder process for which his bill provided was not accepted. Nor was there any pretense on the Premier's part of complete satisfaction with the means adopted for giving the country immediate relief. He made no attempt to conceal its essentially makeshift character.

When Mr. Balfour called it a mere temporary arrangement, Mr. Asquith agreed with him, but justified his position on the ground of its being in accordance with English traditions, not to sanction any radical step until the less extreme had been proven to be inconclusive. What Mr. Asquith meant, therefore, by urging the bankers and others to look below the surface, and make up their minds to support some fundamentally effective cure for the evils of which they complain, is obvious enough. As already indicated, the talk of Mr. George and others in the House of Commons was to much the same purpose, Mr. Kier Hardy contending against the adequacy of anything short of out and out socialism, and the Chancellor of the Exchequer reminding the advocates of government ownership of the folly of favoring any such course if they did not intend to make strikes unlawful.

Apart from any conclusion as to the merits of any of the speeches or the soundness of any of the proposals outlined, the address of the Premier and the debate in the House were well worthy of attention, both here and in England.





### EDWARD F. BROWN

Special Field Agent of the National Child Labor Committee. Born in New York City in 1882. Is a graduate of New York University Law School, and has been seven years in social service, making extensive studies of immigration, municipal corruption, social evil, child labor and the tariff. Was appointed by President Taft in 1911 as a member of the staff of the Tariff Board.

# THE MINING OF ANTHRACITE COAL

BY EDWARD F. BROWN.

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IN this article I endeavor briefly to tell the story of old King Coal. His subterraneous realm extends through an area of approximately four hundred and eighty square miles in the eastern portion of Pennsylvania. One can go from Nanticoke to Carbondale through rugged, almost unbroken underground passages, and as this dark world unfolds itself to the gaze, you can find fossilized ferns—the ancient inhabitants of a soil that once,—eons ago—were exposed to the same sun that now kisses the hills a thousand feet above.

The history of the pioneers of the anthracite coal region is a fascinating story replete with romance. Perhaps the world will never know the Spartan courage, the physical hardship and heartache of those brave men who, in the face of a doubting public, had the courage to persist until they achieved success.

The earliest known use of "black-stones," as they were then known, was in 1769, when Obadiah Gore, a blacksmith, conceived its utility in a forge. In 1762 hard coal was discovered in the Wyoming valley of eastern Pennsylvania. It was not mined to any extent until the American revolution, when a limited amount was taken from the banks of the Susquehanna, near what is still a great coal centre—the City of Pittston.

The first commercial exploitation of anthracite coal was engineered by two brothers of the name of Smith. In 1807 their output reached a total of fifty-five tons. The hard mineral was used at this time almost exclusively by blacksmiths, so it is not strange that the industry did not develop with any rapidity. The settlers were engaged in defending their homes



against the ravages of the Indians. The plentiful supply of wood gave no alarm as to a dearth of heating substance. As the demand was limited, the people with characteristic scepticism repulsed the efforts of a few men, who foresaw its possibilities, to mine it.

Jacob Cist—not unknown to science—realized the pent-up energy of the mineral. He knew it was only necessary to harness the black beast; yet in his wildest dreams he could never have foreseen the influence this carbon would have on civilization. Cist went to the Lehigh valley, interested Weiss and Hillgrave, who with a small supply of the black rock went to Philadelphia, where Oliver Evans and Fred Graff successfully applied air draught to burn coal. The experiment having shown its promise, Cist began to mine coal at Summit Hill, and shipped it to Philadelphia. The City of Brotherly Love had little to bestow on the innovation. They were unwilling to abandon the bituminous product from Europe.

In 1808 Jesse Fell of Wilkes-Barre repeated the Philadelphia experiment and burned hard coal in a grate. Judge Fell invited some friends to his fireside to see the hard coal burn. His warmest friends, it is said, stayed away to avoid the chagrin which they considered was sure to follow such a fool-hardy venture.

After the Smith brothers had attempted to market coal, Matthias Hollenback began an extensive buying up of coal fields. At sixty years this veteran was young enough to hope that he would achieve the success he surely merited. His son, George M., reaped the fruits of his father's wisdom and his own energy. In 1813 young Hollenback, together with Butler, Wilcox and Wright, began to mine coal and ship it down the Susquehanna.

In the meanwhile, Cist, undaunted by his failure to win friends to his project twelve years previously, went with Charles Miner, the historian, into the valley of Lehigh.

The war with England was the light that lured. They had expected that foreign bituminous coal would cease to be imported, pending hostilities, and a home market for hard coal would thus be created. Besides, the Susquehanna trade was apparently prosperous, and the Philadelphia market, to be

supplied by way of the Delaware, was a virgin field which gave high promises of successful developments.

Small was the comfort, however, that these pioneers received. Only by bribing workmen in the foundries did anthracite receive a test. Erskin Hazard recognized its possibilities, and spent a fortune in developing it.

During the war, the enterprise prospered. After its close came dark days of despair. Bituminous coal again flooded the Philadelphia market, and as it was cheaper, it was preferred to anthracite.

It was not until nearly sixty years after its discovery that a systematic effort to market anthracite coal was made. In 1820, 365 tons were mined. Two years later the Schuylkill region was opened. From 365 tons in 1820, the output of anthracite coal in 1909 reached 80,223,833 tons, a decrease of 3,319,410 tons over 1908.

The United States Geological Survey estimates that there are approximately 17,000,000,000 tons of anthracite coal still unmined. For every ton of coal mined a ton of coal remains. This is due to the necessity of leaving supports for the roofs of the mines. After the mine is exploited, companies buy up the right to mine the coal contained in these natural supports. This process, known as "robbing the pillars," is extremely dangerous, owing to the collapse of the roof when the uprights are blasted. This is usually left until the major portion of the coal in the mine is extracted. With this as a basis, I conceive that there is yet to be mined over one hundred times the production of 1909. Carefully prepared estimates give us two hundred and fifty years more of anthracite coal mining. Unless new fields are found—which is improbable—the supply of anthracite coal at the end of that period will be totally exhausted.

#### **The Hazard Involved in the Mining of Anthracite.**

The mining of anthracite coal is essentially dangerous. Those engaged in this industry are exposed to falling rock, premature blasts, fire, explosion, suffocation, and other accidents.

In 1908, 174,174 men were engaged in the mining of anthracite coal. A summary of fatal accidents in the coal mines of North America from 1889 to 1908 is enlightening. It will be seen that there has been a steady increase in fatalities, as the following table will show:

**SUMMARY OF FATAL ACCIDENTS IN THE COAL MINES  
OF NORTH AMERICA, 1889-1908.\***

Year	Average Number		Fatal Accidents
	Employees	Number	Rate per 1,000 Employees
1889.....	278,361	681	2.45
1890.....	300,044	852	2.84
1891.....	325,565	952	2.92
1892.....	342,406	880	2.57
1893.....	382,948	969	2.53
1894.....	392,364	956	2.44
1895.....	402,369	1,053	2.62
1896.....	409,320	1,123	2.74
1897.....	407,493	947	2.32
1898.....	405,177	1,049	2.59
1899.....	420,111	1,249	2.97
1900.....	461,859	1,501	3.25
1901.....	492,129	1,579	3.21
1902.....	528,686	1,837	3.47
1903.....	574,210	1,815	3.16
1904.....	606,496	2,018	3.33
1905.....	641,044	2,178	3.40
1906.....	656,486	2,093	3.19
1907.....	683,725	2,838	4.15
1908.....	712,209	2,723	3.82
	<hr/> 9,422,902	<hr/> 29,293	<hr/> 3.11

From 1870 to 1908 there were 14,625 fatal accidents in the anthracite coal region alone, as against 6,919 in the bituminous fields of Pennsylvania from 1877 to 1908.

The following table† will show the geographical distribution of fatal accidents to coal miners in North America from 1889 to 1908:

Washington and British Columbia.....	961
Colorado, New Mexico and Utah.....	1,451
Alabama, Eastern Kentucky, Tennessee, West Virginia.....	4,563
Michigan .....	68
Oklahoma, Iowa, Kansas and Missouri.....	1,661
Western Kentucky, Illinois and Indiana.....	2,745
Nova Scotia .....	447
Maryland, Ohio and Pennsylvania.....	17,396
Total.....	<hr/> 29,292

\*Bulletin No. 90 of Bureau of Labor, Department of Commerce and Labor.

†Ibid.

Thus the black monster has demanded and received 29,293 lives in nineteen years as a tribute for the energy it has been yielding to mankind. In commenting on this tremendous toll, Mr. Fred L. Hoffman, a close student of the problem, says:

"Whatever may be the cause of this condition in American coal mines, the fact cannot be controverted that by every test of statistical analysis the fatality rate in North America coal fields is decidedly above the corresponding average for the other principal coal producing countries in the world."

The enormous waste of human life in this industry is a serious indictment of American occupational risks, when compared with the fatality rate for the same industry of other lands. More startling, perhaps, is the fact that in some coal fields—notably the anthracite, the death rate from mining accidents is almost as large as the fatality rate for *all* causes among men and boys of corresponding age in all industries.

The census of 1900 showed the average mortality rate for all males in industry between fifteen and sixty-four years, to be 10.6 per thousand. The mortality rate for miners and quarrymen was 8.05 per thousand.

It must not be supposed that all hazard in the anthracite field is due to indifference or neglect. It is probably true, however, that the apparent apathy of mine inspectors to the seriousness of their duty is often the cause of preventable calamities. It is also probable that the inspectors place too small a value on the life of the so-called "foreigner." When someone is killed, the invariable first question is,—"*A foreigner*"? Not alone the mine inspectors, but the Americans in the anthracite fields should realize that the measure of loss is fully as poignant to those who are left to mourn, as it is to the English-speaking race. The social loss is the same, casting upon society the responsibility for the maintenance of the survivors when no other means exist.

From 1904 to 1908 there were 2,700 fatal accidents to inside employees, as against 482 fatalities outside the mine, or a total of 3,182 inside and outside fatal accidents in the anthracite coal region. This was equivalent to 3.34 accidents per 1,000 employees.

A belief may be common that a large proportion of the ac-

cidents inside the mine are to the unskilled—the mine laborer, drivers, runners, nippers, spraggers, etc. This is not borne out by the facts. Out of 2,700 fatal inside accidents (1904-1908) there were:

Foremen and assistants.....	11	Pump men.....	8
Fire bosses and assistants....	14	Company men (unskilled)....	167
Miners .....	1,389	All other.....	127
Mine laborers.....	716		—
Drivers and runners.....	189	Total.....	2,700
Door boys and helpers.....	79		

This brings us the incontrovertible fact that accidents in anthracite coal mining are not confined to the unskilled inside workers. The given table shows the maximum mortality rate occurred to miners, or 6.58 per thousand. It ought to be clear from this presentation that the fatality rate of 6.58 per thousand employees is excessive. The Bureau of Labor has estimated 1.5 per thousand as a normal underground fatality rate; the actual death rate in the anthracite coal fields, therefore, is four times that which has been considered the normal risk.

The death rate for door boys and helpers was 5.25 per thousand. An analysis of this figure will bring us to the conclusion that this is perhaps the most deplorable of all facts, because it was probably preventable. For a long time Pennsylvania had the doubtful distinction of exposing boys of eight years of age and upwards to the hazards of this industry. This was due as much to the inadequacy of the child labor laws as it was to the lax enforcement of what was on the statute books. To mere children was delegated the task of opening and closing doors to allow the "trips" or a train of loaded coal cars to pass through. Here in the darkness the boy sat at his lonesome job. Occasionally he would get up to "play mule," or push the cars on their way. Many of them were in this manner crushed between the cars, or thrown under the wheels, or kicked by the mules. If, perchance, the ten hours of mental and physical stagnation lulled the child to sleep, the door left open not only increased the danger of a gas explosion, but might cause "trips" traveling in opposite directions to collide. The animal spirits of the boy, confined as he was to a task in a dungeon often expressed itself in play. Small wonder that

many of these little lives were sacrificed—to the extent of 5.25 per thousand.

In the anthracite coal mines out of 111 door-tenders who were killed during the decade ending in 1908, 10 were under 15 years of age, 75 were between 15 and 19 years of age, and 13 were 65 years of age, and over. This process, while not requiring any particular skill calls for a painful concentration of attention upon which the lives of the miners often hinges. It pays the poorest rate of wages. Young boys are employed because they are cheap, and old men, who have given the best years of their lives to the operators, are rewarded with this job, at a boy's wage, to insure their not dying in wicked idleness! The mortality rate in this group considered in the light of the number employed is among the highest. Thus, youth and age go hand in hand. Out of 77,955 slatepickers employed in one year, 79, or 1.01 per thousand employed, were killed. Picking slate is peculiar to the mining of anthracite. It is the process of separating the slate and rock from the coal after the coal is taken from the mine, and sent to the breaker. Of 122 deaths among slatepickers between 1899 and 1908, 48 per cent. was due to machinery. Only those familiar with breaker machinery can realize the awful deaths these boys met. The huge cylinders, with their immovable steel jaws, constantly interlocking and crushing the rock and coal, is not an inviting thing into whose mercies one wants to fall. Yet, there are cases on record, as recent as 1908, where mere children—one no older than ten years—have been crushed to death in the jaws of this machine. Out of 122 pickers killed, 79, or 38.5 per cent., were under fifteen years of age, 42 per cent. being native-born children.

Such wanton waste of human life, such reckless disregard for the safety of others, can only call forth from the conscience of the American public, the severest censure. There is no good reason why this admittedly dangerous occupation should not be closed to boys under sixteen years.

The earliest record of a great anthracite coal mine disaster dates back to September, 1869, when 179 lives were lost at Avondale. This calamity brought to the attention of the State the need for a thorough mine inspection system. While such a plan has been carried out, it has not reached its maximum efficiency, due somewhat to the inadequate force of inspectors, and often to the influence that large business combinations can sometimes exert over a local officer charged with the enforcement of a law.

**CHRONOLOGICAL LIST OF COAL MINE DISASTERS IN THE  
ANTHRACITE REGION.**

Year	Date	Name of Mine or Locality	Number
			Lives Lost
1860	September	Avondale	179
1883	November 23	Kettle Creek	17
1884	February 20	Leisenring (West)	19
1880		Johnstown Mine	14
1890	May 15	Ashley Mine	26
1890	June 16	Hill Farm Mine	31
1891	January 27	Mammoth Mine	109
1892	July 23	York Farm Mine	15
1894	February 13	Gayland	13
1896	March 23	Berwind Mine	13
1896	June 28	Twin Shaft Mine, Pittston	58
1899	December 23	Brazella Mine	20
1899	December 23	Sumner Mine	19
1901	June 10	Port Royal Mine	20
1902	July 10	Johnstown	112
1903	November 21	Ferguson Mine	17
1904	January 25	Harwick Mine	179
1904	April 23	Eleanora Shaft	13
1907	December 1	Naomi Mine	34
1907	December 19	Darr	239
1908	May 1	Mount Lookout	12
1908	November 28	Mariana Mine	134

**Those Who Toil Underground.**

Anthracite coal communities are now almost exclusively foreign settlements. When the American and Britisher mined the coal in the beginning, they were not satisfied to exploit the smaller and thinner veins. This was the commencement of a studied policy on the part of the mine operators to import foreign cheap labor. They wanted cheap, docile labor. The oppressed of other lands saw in this call an opportunity to become suddenly rich, and enjoy the asylum of America. This cheap, unskilled labor, accustomed to a much lower standard of living than the American miner willingly submitted to the exactions the native help resented. The Slav was as cheap a labor product as Europe contained. It was to that people the operators beckoned. They came in flocks, and so did other nationalities. Some of the peoples who now form the greater part of our anthracite coal communities are Poles, Slavonians, Austrians, Hungarians, Bohemians, Tyrolese, Russians, Lithuanians, English, Irish, Welsh.

Today the American looks with aversion upon the business of mining coal. The hazard of the work and the type of men engaged therein keep him aloof. Mine foremen have informed the writer repeatedly that the industry would stagnate if it had to depend on native labor.

The standard of living of the Slav or "Hun" may not be all that the American standard calls for. He may even be unmoral to a certain extent—yet that point is not readily conceded; he uses strong drink freely, but for the part the alien has played in the development of this and other industries, and its consequent effect on the progress of the world, we should all be grateful. Our duty to these men is clear. The immediate problem is to bring their low standard up to ours. Teach him to educate his children, and he and his children will be the means of making this country politically and morally as sound as they have made it industrially great.

It is true that they have helped to reduce the wage scale which existed prior to their immigration. They are not, however, as some would at first believe, the strike breakers. They are the strong friends and supporters of labor unions. The order of suspension on April 1st, 1912, found not only the union, but the non-union foreigner religiously adhering to the principles demanding an adequate wage, and more equitable labor conditions. While there are some very unfortunate things about this foreign influx, a most hopeful sign is the limitless future possibilities for their children. They are clean, bright and sturdy. In a public school in Wyoming, a typical anthracite mine community, the similarity was remarkable between the native American children, and the American born children of foreign parents. It is necessary to impress upon these people that to educate their children is to give them greater industrial opportunities. That is all they need to know, for they are proud and ambitious for their children.

#### **Some Great Industrial Disturbances in This Industry.**

In 1869 the Working Men's Benevolent Association forced upon the mine operators the adoption of the sliding scale.

In 1875 a bitter strike ended in the complete rout of the miners. Not only were they compelled to return to work without a single concession, but the Working Men's Benevolent Association was utterly destroyed. The sliding scale, however, was retained.



For nearly twenty-five years after this signal victory by the operators, the waters of anthracite were untroubled with industrial strife. From time to time the resentment of the anthracite miner would be revealed in opposition to the compulsory purchase in company stores; the disgracefully unsanitary condition of the company houses which were rented for sums far in excess of their real value; the docking which the miners contended was excessive and unfair; monthly payment of wages; absence of check-weighmen; excessive charge for powder; refusal to recognize the union; low wages, etc.

Then came the great victory of the United Mine Workers of America in the bituminous fields in 1897. This encouraged the leaders to attempt the organization of the anthracite miners. In 1900 eight thousand anthracite miners were banded together. Their demands refused, they left the mines and for a month and a half the solidarity of nearly twenty-six different peoples became the admiration of the working world, and the fear of the combinations. The operators came to terms with a wage increase, and the price of powder was substantially reduced. In one light this settlement was a disappointment. It was brought about by political leaders who thought the election of William McKinley and Theodore Roosevelt would be endangered by an industrial revolt, but even this was overshadowed by the fact that the close of the strike counted over one hundred thousand members enrolled in the union.

In February, 1902, the officers of the United Mine Workers of America invited the coal operators to a conference for the purpose of establishing a wage scale for the ensuing year. The operators declined to meet. The miners demanded a wage increase, decrease in the number of hours of work, payment by weight of coal mined, and recognition of the union. The danger of a prolonged suspension was quickly realized by President Roosevelt who appointed a commission to inquire into matters, both sides agreeing to abide by the award of the said body. The Anthracite Coal Strike Commission made a thorough study of the situation and awarded, among other things, a ten per centum increase in wages, appointment of a board of conciliation, equal distribution of mine cars, no discrimination against workers who were out on strike. The union was not recognized.

The expiration on April 1, 1912, of the agreement made in 1902, between the miners and operators, ushered in another anthracite conflict. Pending negotiations for a new treaty

between miners and operators, an order of suspension was issued, affecting approximately 168,000 workers. The principal demands of the mine workers were a 20 per cent wage increase, recognition of the union, and an eight-hour day. The willingness of both sides to settle difficulties marked a new era in adjusting industrial disputes. Conferences between both parties resulted in a compromise which was ultimately accepted by the workers in conference assembled. The gains of the miners consisted in:

Establishment of an eight-hour day. Increase of 10 per cent in wages. This increase must be considered together with the abolition of the sliding scale. It actually amounts to a  $5\frac{1}{2}$  per cent increase.

Establishment of a grievance committee in each mining district. Minimum wage of \$3.50 per day for miners, and \$2.75 for day laborers.

Limited union recognition.

The *New York Herald* of May 19, 1912, estimates the cost of the suspension as follows:

Loss in wages to men.....	\$14,875,000
Loss to companies in profits.....	9,450,000
Loss to sellers of supplies.....	4,375,000
Loss to railroads in freight.....	16,625,000
Loss to train hands in wages.....	430,000
Loss to retail merchants.....	1,400,000
	<hr/>
	\$47,155,000

The recent coal strike and suspensions in the United States, England, Germany and France resulted in what was perhaps the most complete embargo on a necessity of life. Never, except perhaps in the potato famine of 1845, and the Lancashire cotton dearth of 1776, has the supply of a necessary commodity been so universally affected.

A large, stylized handwritten signature in black ink, reading "Edward J. Brown". The signature is written in a cursive style with a prominent underline.

## PREVENTIVE WORK IN MINES

(*Dayton Journal.*)

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EVIDENCE that the managers of the coal mines in this country are waking up to some sense of their duty in the matter of lessening casualties is furnished in a recent publication of the Delaware, Lackawanna & Western Railroad Co., containing an address by Superintendent C. E. Tobey. It presents the results of a recently inaugurated campaign of education among the employés of that company as to preventive methods and the effort to perfect a system of humane relief. We are told that in coal mining, hazardous at best, from 65 to 80 per cent of the fatalities are due to carelessness or ignorance on the part of the men themselves. The fact that 11,500 of the 18,500 mines employed in the Lackawanna mines are foreigners, few of whom understand English, makes it easy to believe this. Mr. Tobey tells us that it was necessary to educate them before they could understand the company rules. One wonders why the rules could not have been printed in Polish, Hungarian, Russian, Lithuanian and Italian. Many of them were found to be "suspicious of the bosses' efforts in their behalf," making it necessary to study carefully methods of reaching them.

Extension schools have been established under the direction of the miners' institutes organized and fostered by the Y. M. C. A. Blackboards and charts are used and the Dr. Robert's system followed in teaching English to foreigners. The dangers of careless mining are illustrated by magic lantern slides from actual photographs, showing some 30 of the more common kind of accidents. These exhibitions were a success from the start, drawing crowds of men, women and children, "who enjoyed them as they would a nickelodeon show," and at the same time were instructed in ways and means of self-protection. These photographs, numbering about 200 and showing the right and the wrong ways in timbering and blast firing, have been printed in a book with simple lessons to be used in the extension schools for foreigners and distributed among the miners. By new rules adopted in the matter of reporting and repairing bad roofs, the deaths caused by the

falling in of roof chambers in the faces of workmen was reduced from 11 in 1910, to 3 in 1911. Records showed that 45 per cent of the fatal accidents were from this cause. Another new rule "which was thought at first would work a hardship of the miner and a reduction in the output, but which really worked out to the advantage of all," forbids a miner returning to a missed hole. It had been the custom for a man to light his squib and retreat to a place of safety. If the shot did not go off promptly, he concluded that the light had gone out and returned to the face just in time to receive the delayed shot. Now the miner is obliged to "take his dinner pail and go home for the balance of the day," his pay being docked accordingly. Mr. Tobey tells us that this rule is evaded more or less by some reckless dare-devils; "but they not only run the risk of being blown to kingdom come, but also of immediate discharge from the service if found out."

Passing by the obvious reflection as to the cruelty of inflicting this additional penalty on the poor miner blown to kingdom come, it is consoling to be informed that these precautions and others for the prevention of premature blasts, resulted in the killing of 15 persons less in 1911 than were killed in 1910, although there was an increase of 370,000 tons in the coal production, or at the rate of "170,000 tons of coal produced for every man killed, as against 123,000 tons in the previous year." For prompt and adequate relief in case of accident, teams of boys have been drilled in first aid methods, including the artificial inducing of respiration and antiseptic handling of wounds, while a fully equipped hospital car is kept in readiness at points distant from the Moses Taylor hospital at Wilkes Barre.

## THE GRADUATED-TAX PROTECTIONISTS.

BY W. V. MARSHALL.

THE object of a "protective tariff" should be not only to prevent foreign manufacturers from destroying our home industries by underselling them in the home market, but also to protect the consumers from the arbitrary increase in the prices that would ensue after the foreign manufacturers had monopolized the home market.

It is true the protective tariff does accomplish both these objects, but the second is negated in that the consumer, although he is protected from a foreign monopolist, is left at the mercy of a home monopolist that the very system has created. It is this inconsistency in the theory of the protective tariff that the Graduated-Tax Protectionists propose to remedy.

What is a Graduated-Tax Protectionist? He is one who believes in protecting the consumer as well as the home industries, and in protecting the consumer from both the foreign monopolists and the Interests at home. He believes this can be accomplished in part by the protective tariff, but that the tariff, to prevent its defeating its own ends, must be supplemented by some form of protective internal tax. He believes that such a supplementary tax is to be found in the Graduated Property Tax, which is based upon the theory that the rate of taxation should increase with the value of the property. The following table explains the plan:

	Unit of Increase in Capitalization.	Rate of Taxation.	Tax on Each Unit.	Average Rate of Taxation.	Total Tax.
First	\$1,000,000	.01	\$10,000	.01	\$10,000
Second	1,000,000	.011	11,000	.0105	21,000
Third	1,000,000	.012	12,000	.011	33,000
Fourth	1,000,000	.013	13,000	.0115	46,000
Fifth	1,000,000	.014	14,000	.012	60,000
Tenth	1,000,000	.019	19,000	.0145	145,000
25th	1,000,000	.034	34,000	.022	550,000
50th	1,000,000	.059	59,000	.0345	1,725,000
100th	1,000,000	.109	109,000	.0595	5,950,000
200th	1,000,000	.209	209,000	.1095	21,900,000
300th	1,000,000	.309	309,000	.1595	47,850,000
400th	1,000,000	.409	409,000	.2095	83,800,000
500th	1,000,000	.509	509,000	.2595	129,750,000
1000th	1,000,000	1.009	1009,000	.5095	509,500,000



W. V. MARSHALL

Postmaster of Berlin, Pa., is a student of economic questions.  
Conducted a weekly newspaper in Berlin for fifteen years.

170

Beginning with million-dollar possessions the Graduated-Tax Protectionist would regularly increase the rate of taxation with increase in the value of the property or combination of properties under single control. This plan would render the tax upon a combination of industrial plants, as the big steel trust, for example, so high that it would be more profitable to operate the constituent plants as separate entities than as a trust organization. It would destroy the trust by utilizing the basic principle of self-interest.

This form of taxation would bring about a spontaneous decentralization of the huge combines into independent plants of the smallest size compatible with adequacy of equipment. But the plants would not be reduced to sizes smaller than is essential to completeness of equipment, because the saving in taxes would be no compensation for the drawbacks attendant upon undersize.

This tax would bring about competition in manufacture, transportation and trade. It may be objected that competition is harmful. That is so when the competition takes place only in the contracted sphere in which it exists at the present time. When the best opportunities are monopolized and the mass of the people are driven to compete for the opportunities that are left, the competition becomes hurtful. But this tax would bring about competition among all, the operators of the big industries as well as the little. The consequence would be that men would forsake the less profitable pursuits for the better paying ones until all pursuits had been brought to the same level in regard to the rate of profitableness. This means that supply and demand would be equalized, for the poorer-paying pursuits being, under untrammelled conditions the over-supplying pursuits, the migration from the less profitable to the more profitable pursuits signifies also a migration from the over-supplying to the under-supplying pursuits, until supply and demand have been equalized.

Further, these coördinating equalizations mean that society would consume products as fast as they were produced, to the advantage of both the laborer and the capitalist. There would be no more causes for shutdowns nor for manufacturers to seek a foreign market. Each producer would find a market for his wares, hence the destructive competition of the present would be replaced by a normal and stimulating competition to produce the best article.

Under the Graduated Property Tax system "free trade" would be impossible, because the home industries under the conditions we have outlined would be less able to withstand the



competition of foreign monopolies than they are now. It is evident that we cannot extend the Graduated Property Tax to the foreign plant. But the difficulty is easily obviated by putting upon foreign goods as they enter our ports a tax that is equivalent to the difference between the cost of manufacture of the home and foreign articles.

This protection against encroachment from abroad we have now, but we have failed to protect ourselves against a similar encroachment from within. A protective tariff goes only half way in the right direction. It needs to be supplemented by the graduated tax, which may be termed an "internal tariff," otherwise it is fraught with danger. When we create a protective tariff and rest at that, it is equivalent to saying to others: "Locate your plants within our borders, and we will protect you from encroachments from abroad; further, we will grant you permission to prey at will upon our people." Or, it amounts to declaring to would-be plunderers abroad: "You cannot molest our people from where you stand; come across the border, and we will issue you a general license to pillage and oppress."

To carry out completely the purpose of a protective tariff, we must make it impossible for persons to accomplish within our borders what they are powerless to do from the outside. While a tariff must be established to shield us against the *designs* of predatory combinations abroad, the Graduated Property Tax must be applied to prevent the *existence* of predatory combinations at home.

*N. V. Marshall*

## OUR NEW TAX SYSTEMS

(*Providence Journal.*)

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THE Governor has selected as the head of the new tax commission one who has devoted more study to the problems of taxation and understands the theory and practice of tax laws more thoroughly than any other man available. With the Lieutenant Governor in this important office, the establishment of the new system can be inaugurated under the most promising auspices. It is fortunate, too, that Mr. Bliss is selected for the six-year term, thereby assuring permanency in methods and principles of applying a law that doubtless will be found wanting in some particulars and in need of alteration.

How the new law will operate, what the amount of revenue will be and how it will affect local tax rates cannot be accurately foretold, but it is a safe prediction that the State will never regret abandoning the antiquated general property tax. That we have an altogether equitable code of tax laws now nobody will claim. Surely no one well acquainted with the subject will believe that we have done all that we should do in that direction until we have established some form of an inheritance tax. Such a tax was the first recommendation of the special committee that framed the present law. But we have taken a step, and a long one, too, in the right direction, and the temper of the Assembly indicates that it will not be hard to amend in the public interest as the weak or unjust features of the statute become apparent.

## CLOSED ~~SHOP~~ UNIONISM.

BY ANTHONY ITTNER.

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CLOSED Shop Unionism is my theme, but might it not more appropriately and truly be named—"Lawless Un-American Unionism"? Yea! may I not justly go still further and characterize what is known as "Closed Shop Unionism," as conducted and enforced under the Federation headed by "The Master of a Million Minds," as the worst curse that ever befell this fair land of ours, not even excepting earthquakes, cyclones, pestilences and all manner of scourges that befall the human race.

This characterization may seem extremely harsh and unjust, and may need some explanation which I am entirely willing to make (especially to those who are not intimately acquainted with its workings), as follows: It causes one class of God's children to apply to another class of God's children, the most opprobrious names that the mind of man could possibly think of, such as "Scab," "Rat," "Skunk," "Snakes"; to boycott Preachers of the Gospel for marrying non-union men—God's children; to enter the house of the dead and compel the grief-stricken mourners to take the corpse of their loved one out of a coffin made by non-union workmen and place it in one bearing the Union Label; to compel carriages driven by non-union drivers to pull out of a funeral cortège while on its way to the cemetery; to cut the tongues out and the ears off of non-union workmen and send them through the mail to their sorrowing relatives; to go into the stables of an employer, in the dead of night, and kill poor dumb animals by chopping them on the head with an axe because their owner did not see his way clear to accede to their arbitrary and un-American demands; to assault in cold blood, and murder, free, independent American citizens, for having accepted employment from which they had withdrawn; to dynamite and blow up, by wholesale, structures being built by non-union men, and establishments wherein non-union men were employed; to kill human beings by the score; to place a ban upon the Boy Scouts and refuse to furnish music, should they be permitted to participate and take part in a movement to receive and do honor to the President, when he last visited the city of St. Louis; by



### ANTHONY ITTNER

Proprietor of the Anthony Ittner Brick Company of St. Louis, Mo. Was born in Ohio in 1838. Was elected to Missouri State Assembly in 1868; to the State Senate in 1870, serving continuously until the Fall of 1876, when he was elected a member of the 45th Congress, his term expiring March 4, 1879, at which time he refused a re-election.

2000

rules to limit, and in some cases place outright proscriptions on the American Boy's right to learn a trade, to the extent, in some cases, of preventing a father from teaching his own son the trade in which he is engaged. The great and grievous wrong of preventing our young men from learning skilled trades is deemed by some to be worse than the killing of a non-union man, since the killing of a non-union man in a case where he has no family depending upon him for support, is the end of him, and, besides, he might be better off in the future world than in this, while the boy who is deprived of the advantages of a skilled trade and who has not had the advantage of a High School education, or for that matter, a Primary School education, is more or less apt to drift into the ranks of the indolent and criminal class, a condition many fold worse than death. These and many other infamous acts, too numerous to mention, are, it is claimed, done in the interest and furtherance of "a principle." In fact, some of these fanatical union zealots, through their environment and surroundings, are impregnated with the idea that they are doing God a service when they are persecuting and killing non-union men, hence, it is that one is justified in characterizing "Closed Shop Unionism" as the worst curse that ever befell this fair land of ours; it is un-American, inhuman, and barbarous, it should have no place in this country but should be exported to the countries across the salt water whence it came.

The question is not as to the right of a working man, a wage-earner, to organize—they have unquestionably the same right to organize that any and every other class of our population has. An employer for fifty-three years, belonging to many Employers' Associations, Local, State and National; an ex-President of two National Employers' Associations, in all my rubbing of shoulder to shoulder with employers I have yet to hear the first one say that he was opposed to organization amongst the wage-earners, skilled or unskilled. It is wholly and solely the arbitrary, un-American and unchristian methods of "Closed Shop Unionism" to which objection is made and will continue to be made so long as America remains "the land of the free, the home of the brave." Yet, at the same time, we must confess that under "Closed Shop Unionism" ours is *not* "the land of the free and the home of the brave."

Speaking from both age and experience, having worked as a wage-earner for some twelve years, and then as an employer for some years before "Closed Shop Unionism" made its ap-

pearance, I am acquainted with conditions before and since its advent. I know of concerns in the city of St. Louis that were boycotted forty-five and fifty years ago—this is long before the word "Boycott" was coined, but what is now known as the "Boycott" was then known as "Ban."

The article which appeared in the December number of *THE EDITORIAL REVIEW* from the pen of John Kirby, Jr., President of The National Association of Manufacturers, entitled "The Nation's Greatest Peril," is as true as gospel. Some people think Mr. Kirby is too "intense" in his statements, but he never made a statement, verbal or written, on the industrial situation, that has come to my notice, which I could not endorse without mental reservation.

It has always been a mystery to some of us how and why the American people, and especially those in power, stand for the lawlessness of "Closed Shop Unionism."

Since the confessions of the McNamara Brothers, a number of people have petitioned the President to have a Federal Commission on Industrial Relations appointed to take into consideration the industrial situation in this country in relation to employer and employee, and, in turn, the President has recommended to Congress the passing of a law to authorize the appointment of such a Commission—all of which is sheer nonsense. Had these same people petitioned the President to enforce existing laws against criminal, militant "Closed Shop Unionism," it might have meant something and have been productive of good results. The denial of the right to American Boys to learn skilled trades; the denial of the right to an American Workingman to work at his trade, which rights are guaranteed to them by the laws of God and man, is a crime, and all that is necessary to protect them in this right is to see that the laws are enforced. The authorization and appointment of an Industrial Commission would simply be a farce and add to the prevailing confusion.

The December, 1911, issue of "The Survey" in inviting comments on the outcome of the McNamara case, has this to say: "In asking a representative group of men and women for constructive suggestions, 'The Survey' put this question: 'What should be demanded of Organized Labor in putting its house in order?'" To this question twenty-nine answers are published, one of which is from the Rev. Charles Stelzle, who has charge of the Labor Department of the Presbyterian Churches, who, as he informed the writer on one occasion, carried a machinist's Union Card in his pocket, and sees fit and proper to give his answer to said question, thus: "First: A House," and then be-

gins his answer as follows: "The radical tendency in the present-day labor movement is the direct result of the unreasonable and unreasoning attitude of some Employers' Associations with reference to Trades Unions." With this as a starter, let the reader draw his own conclusions; many of the answers are in keeping with the above—some few are in line with reason and common sense, as, for instance, that of H. E. Miles, of Racine, Wis., who is the honored Chairman of the Committee on Industrial Education for The National Association of Manufacturers, which Association, it may reasonably be inferred, is one of those to which the Rev. Charles Stelzle refers, when he mentions "some Employers' Associations," and of which the writer feels honored in being a member.

It is indeed sad to think that we have preachers of the Gospel who sponsor and stand for "Closed Shop Unionism," some of them carrying "Closed Shop Union Cards in their pockets and proclaiming that it is now only a question of whether the Church will capture Labor, or Labor capture the Church. Of course, Union Labor is not mentioned, but that is what is meant, as the fealty of one to his Union is greater than that to his God or his Country; the nature of the oath they take on joining the Union requires that their obligation to their Union shall be paramount to all else, human or Divine. As was stated by the McNamara Brothers in their confession, what they did was done in the furtherance of "a principle" and the principle consisted in fealty to their Union to the extent that they justified themselves in the wholesale slaughter of human beings not affiliated with "Closed Shop Unionism."

The pastor of the leading Unitarian Church of New York City, according to several reliable Trade Journals, is reported as justifying the blowing up of the Los Angeles "Times" and the murder of twenty human beings.

Gompers was in St. Louis at the time of the blowing up of the Los Angeles "Times," and the newspapers reported him as saying that it was a "frame-up" on the part of the employing interests to put Organized Labor in a bad light before the country. On the occasion of the arrest of the McNamara Brothers, he was in St. Louis again and substantially repeated what he had said on the former occasion, and added that the purpose was to destroy Organized Labor. If the man has made any apology to the employing interest of the country since the confession of guilt of the McNamara Brothers, the fact has not reached St. Louis yet.



Forty-five years ago the writer said to his employees that if they would do away with their "Closed Shop" feature and their limitation of apprentices, and after having done so would accept him as a member of their Union, he would be glad to join them and would endeavor to get every bricklayer that ever came to work for him to join their Union, but that it would have to be done through friendly approach and intelligent argument. But, no, their rules, as mentioned, have undergone no change—they are the same today as they were at that time, with others as bad added.

Some seven years ago the American League of Independent Workmen was incorporated under the laws of Spokane, Washington, and adopted as a part of their Constitution the Civil Liberty Clause of the Constitution of the United States, and also incorporated a clause admitting employers to membership, and wishing to encourage such organization among wage-earners, application was at once made for membership, which was duly accepted. The membership was continued until some six months ago when this League was absorbed by The Trades and Workers Association of Battle Creek, Mich., of which I was at the time a member, the purpose being to show that I was favorable to Organized Labor, when it was of a proper kind and in keeping with the laws and institutions of our country, and to estop, if possible, their saying of me when I pass away, as they did of that grand and noble man, the late James W. Van Cleave, "he was an enemy of Organized Labor."

As previously stated, in all my long and varied experience as an employer, never did I hear an employer say or even hint that he was opposed to the wage-earners organizing into Associations for their own betterment and self-protection. All that is asked and expected is that wage-earners' organizations, by whatever name, shall be formed along lines that are safe and sane, and in harmony and keeping with the Constitution and laws of our country.

It will be in order here to make mention of such an organization of wage-earners that was formed not long after Gompers' Federation was formed, that of The Brotherhood of Locomotive Engineers, which is the most successful and respected wage-earners' organization in the country today. During its entire history it has been conducted on the "Open Shop" method; in fact, it is an organization of which no self-respecting locomotive engineer can afford not to be a member; it is indeed a reflection upon such a one not to be a member, since all who are members have passed the examination of a scrutinizing commit-

tee—it is doubtful whether there is an active locomotive engineer in the country today who is not a member of the Brotherhood. No need of force to secure membership in this worthy and commendable organization of wage-earners; in fact, their greatest advantage was owing to the fact that their organization was conducted on the "Open Shop" principle.

Were Gompers' Federation conducted along similar lines, it would, of course, carry with it equal respect and commendation, and instead of a membership of 1,750,000, a majority of whom were secured through force and intimidation, it would have four or five times as many and be an honor to itself and the country, instead of a reproach, as it is now.

The Trades and Workers Association of Battle Creek, Mich., of which mention has been made, organized some two years ago and incorporated under the laws of the State of Michigan, has for the first declaration in its Preamble that "This Association shall at all times stand for the peaceful solution of all labor problems," and for the last utterance in its Constitution, the following—namely; "To working earnestly for the establishment here and now of the brotherhood of man." This, of course, means *all* mankind—not only Union and Non-union, but *all* of God's children throughout Christendom.

Mr. C. W. Post, of Battle Creek, Mich., who was largely instrumental in bringing this new wage-earners' and employers' association into being, took it upon himself to address a most courteous and respectful communication to Mr. Samuel Gompers, under date of December 11th last, inviting "The Master of a Million Minds" to visit him and be his guest at Battle Creek, or if he preferred, to be the guest of Mr. Joseph W. Bryce, President of The Trades and Workers Association, and remain a week or ten days at his (Mr. Post's) expense, so as to permit the methods and workings of this Association to be fully explained to him, and, if, after a full and thorough examination of its workings, he was satisfied with its methods and would thereafter remodel his Federation along lines in harmony with The Trades and Workers Association, he would be willing "to contribute a quarter of a million dollars to the new movement." To this letter and princely offer, "The Master of a Million Minds" did not condescend to make a reply. Were his Federation remodeled in harmony with The Trades and Workers Association, he could not long hope or expect to remain "The Master of a Million Minds," and, accordingly, his occupation would be gone—yes, and gone forever.

I may here be allowed to refer to a sermon delivered Decem-

ber 24th, 1911, by the Rev. David James Burrell of the Marble Collegiate Church, Fifth avenue and Twenty-ninth street, New York City, as in striking contrast to the Unitarian minister previously mentioned. He took his text from Galatians, sixth chapter and second verse: "Bear ye one another's burdens and so fulfill the law of Christ," and introduced his sermon as follows:

"I have nothing to say against the Labor Unions as such; but I am opposed to their revolutionary schemes. The right of organization for lawful ends is universally conceded. Let us go a step further and say that it is not only right but expedient.—First, for benevolent purposes, such as mutual insurance and sick benefit, the relief of the unemployed and the care of widows and dependent children. Second, it is wise and prudent to combine for mutual protection and defence against all encroachments. The Good Book says: 'Two are better than one; for if one fall the other will help him up.' Our Dutch forefathers used to say: 'Een dracht maakt macht,' that is—'In union there is strength.' Even the strike, when rightly understood and fairly conducted, is quite justifiable. Third, organization is both wise and necessary for the betterment of conditions, particularly, as to suitable hours and equitable wages, and safety and sanitary conditions for working men."

Then he went on to speak of the mistakes they have made, and some of the strange and unwarrantable things they have done, such as having practically signed away their freedom to unwise and incompetent leaders. The resort to violence during strikes and lock-outs, such as mobs and dynamite, and all manner of lawlessness, carrying placards, such as "Do not patronize thus and so—they employ non-union men"; he quoted the civil liberty clause from the Declaration of Independence and asked, "What does that mean?" He quoted from Longfellow's "Village Blacksmith" in order to draw a contrast with the industrial conditions of today.

He further quoted from the Scriptures to the effect that "God hath made of one blood all nations of men, to dwell upon the face of the earth"; and from the Golden Rule of Jesus, "Do unto others as ye would be done by"; and from Jacob, in speaking to his sons, "Ye be brethren; see that ye fall not out along the way." In referring to the iniquity of "Closed Shop Unionism," the reverend gentleman in his condemnation and denunciation thereof did not spare words, but sought most emphatically to make himself understood, as follows:

"This is one of the most unjust, unreasonable, unrighteous and desperately wicked and suicidal principles ever formulated by any association of civilized men. I make this statement advisedly, and in sustaining it I propose to make an appeal to the calm reasoning of laboring men."

He supported this utterance by forcibly argument.

What a blessing it would be if every union man, affiliated with Gompers' Federation, could have the opportunity to read this sermon;—I mean those who are open to reason—as I feel confident three-fourths of its membership are.

Gompers, Darrow and some of these "closed shop union" ministers of the Gospel, should be held to a stricter responsibility than should the McNamara Brothers, who committed the murderous crimes to which they have confessed, as it is impossible that they could have been ignorant of what was going on.

The New York "Times," in the concluding paragraph of an editorial of its February 17th, 1912, issue, says: "The closed shop is inconsistent with the fundamental principles of humanity and of our system of government."

The New York "Sun," under date of December 6, 1911, has a four-column editorial on the confession of the McNamara Brothers, headed, "The Principle," which treats of the industrial situation from an intelligent and lucid standpoint, in which it asks: "What was the principle that could cause the cowardly slaughter of defenseless human beings, and who is responsible for it?"

An extract from the Anthracite Coal Commission appointed by President Roosevelt in 1892 to arbitrate and settle the anthracite coal strike in full sway under the leadership of John Mitchell at the time says, speaking of the Coal Miners' union:

*"Its history is stained with a record of riot and bloodshed culminating in three murders, unprovoked save by the fact that two of the victims were asserting their right to work and another as an officer of the law was performing his duty in attempting to preserve the peace. Men who chose to be employed or who remained at work were assailed and threatened and they and their families terrorized and intimidated. \* \* \* In several instances the houses of such workmen were dynamited or otherwise assaulted and the lives of women and children put in jeopardy. The practices which we are condemning would be outside the pale of civilized war. In civilized warfare women and children and the defenseless are safe from attack, and a code of honor controls the parties to such warfare which cries out against the boycott we have in view. Cruel and cowardly are terms not too severe by which to characterize it."*

In closing, I may say that the confession of the McNamara Brothers was the best and most fortunate termination of the trial that could have happened in the interest of industrial freedom in the United States—no other possible ending could have been so convincing and unquestioned, and, therefore, conclusive.



## LABOR, CAPITAL, AND TRUSTS

(*New York Times.*)

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It is a curious mischance which causes the publication simultaneously of the establishment of a pension system for the employés of one steel company and the report to the Senate that another steel company underpaid and overworked its employés. The company certified by Mr. Gompers to be the "greatest enemy organized labor has" contributes an addition of eight million dollars to a fund of four million dollars established some years ago in order that its employés may be pensioned in their old age and disability. It is the company which was not distinguished by Mr. Gomper's attack which works its employés eighty-four hours a week, and pays a shilling an hour. One company is known as a trust and the other company as an independent.

The comparison is casual, and with no intention of disparaging one company at the expense of the other. The reason for making comment is to utilize the opportunity to enforce the need of caution in indulgence of either sympathy or prejudice in judgment of current economic events. There is too free condemnation of trusts because they are trusts, and without regard to their conduct. And the sympathy for wage-earners may too easily lead to disapproval of those who are doing their best to be fair in the troublesome relations between capital and labor. But instead of meeting capital half way, labor is too prone to reject proffered boons as bribes. Wage increases are demanded as a right, regardless of the economic considerations involved, and profit-sharing schemes are represented to be doles, which ought rather to be used in raising wages above the market rate than in making it hard for underpaid employés to leave their employment in a manner embarrassing to employers. In other words, there is a greater solidarity of feeling on the part of employers than of employés, and salaried troublemakers think they earn their pay better by making trouble than by allaying it.

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DAVID H. CORCORAN

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## THE EFFECT OF LABOR UNIONS UPON THE BODY POLITIC.

By DAVID H. CORCORAN, LL.B.

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THE wage-earner holds a unique position in our industrial life. His sole capital is his labor; namely, his personal strength and skill, and, like other forms of capital, they must be active in order to bring returns, which, in his case, are known as wages, and which are essential for the sustenance of himself and those dependent upon him. This all important fact forces him to sell his labor, and he thus finds himself competing with innumerable other workmen. The effect of unrestrained competition among people striving to obtain a mere livelihood has been sufficiently shown by history. It has been demonstrated particularly in countries where the lands are held by comparatively few individuals, competition being thus created among prospective tenants, with the result that the rents are so high as to prevent the attaining of a decent livelihood. Speaking recently, Professor George S. Groat, of the Ohio Wesleyan University, said:

"The employer has monopoly control over the opportunity for work. The shop, material, and tools are his. The employee has none of these, only his strength and skill. There is no need of extending the description further in order to emphasize the point. There can be no equality of bargaining where the single employee faces unaided the single employer."

To prevent this killing competition combinations have been formed by wage-earners during many centuries, seeking to eliminate the evils of individualism in employment contracts and substituting concerted action.

Writers on economic and social subjects agree that as these combinations were strong or weak wages were correspondingly high or low, and when abolished by law, as they sometimes were, the effect was disastrous to the laboring classes. By thus lessening the competing units the worker is able to secure a wage which bears some just proportion to the profits on his toil.

As the home is the unit of a nation, so a nation can not rise above the character of its homes. Surely all will agree that the head of the home is ever solicitous regarding the well-being of his family, and, if he be a workman, a competent wage paid to



him means a better home, better educated, clothed, and nourished children, who are thus enabled to face the world fully equipped to fight the battle of life. Trade unions also operate to increase wages of the non-unionists, so that the benefits reach the homes of all workers. Again, the payment of a just wage tends to equalize the distribution of wealth, the accumulation of which in the hands of a few is certainly against the public interests.

A great social evil to which trade unions are opposed is that of child labor. The child should be allowed to enjoy the God-given right of opportunity to develop himself both in mind and body. To assist him is one of the cardinal principles of the trade unionists, who for many years have been foremost in securing the enactment of child-labor legislation. Today child-labor laws are operative in forty-four States and in the District of Columbia. In these States profits will not accrue to the employer at the expense of the well-being of the child.

Only secondary to this is the fact that by membership in the unions members can acquire an education which enables them to perform their full duty as a citizen. Such education is not found to be in books but is developed at the meetings where discussion takes place on many questions of public betterment and reform.

The broadening of a man's mental horizon by the cultivation of his intellect fits him to take part in solving the problems that affect the welfare of the community at large. The educational value of trade unions can not be over-estimated. Many master minds have been developed under their influence—men who are making an impress for good in various walks of life. One of the most notable instances is that of John Mitchell.

Regarding trade unions it has been truly said:

"Men meet in them and discuss questions of politics and economics in order to ascertain their bearing on the interests of the masses. They feel that their position in life is not what they would have it, and desiring to improve themselves they seek to ascertain what course they can take as citizens of a free republic to advance the welfare of the people."

That the members of the unions are interested in public questions is evidenced by the fact that in all centres of unionism lectures are given weekly by the clergy, and by professional, scientific, and business men. A labor temple is, in reality, a seat of learning.

Labor unions are also fraternal organizations, bound together by that broad band of brotherhood that knows no politics, religion, race or color.

One of the greatest deterrents to an advancing civilization is discrimination and prejudice of man against his fellow-man on account of race and religion. The aim of trade unionism is the promotion of universal brotherhood.

A powerful influence in promoting the principles of trade unionism is exercised by the periodicals issued and distributed at cost out of the general funds of the national organization. The papers find their way into the homes of trade unionists and as they deal, not only with the special subjects of interest to them, but also with the current topics of the day, their educational value is very great.

In trade unions a well-organized system of insurance has been developed that affords to their membership protection against illness, injury and non-employment, and which makes provision at death for widows and fatherless children. Much attention is now being given to this matter, the protection varying from small to very large funds, according to the size and importance of the organizations.

The conservation of the health of the people is of the utmost importance to their progress. Organized labor is doing splendid work to ameliorate the conditions under which working men and women are compelled to toil. The surroundings are often unhygienic and in many occupations the employee is exposed to loss of life or limb. To organized labor great credit is due for the present remedial laws providing improved sanitary conditions for workers and compensation for injury or death by accident, and for victims of occupational diseases.

In the persistent fight that is being waged against the "great white plague" the leaders of that movement are receiving valuable assistance from the working classes, who realize only too well the terrible scourge that tuberculosis is to human beings. Some of the trade crafts have erected and are maintaining sanitariums for those afflicted with this disease, which I believe can and will be overcome by scientific and untiring efforts.

Referring to the importance of the health of the wage-earner, Dr. John B. Andrews, of New York City, says:

"All classes are substantially benefitted by conditions which promote the health, vitality, energy and the industrial efficiency of wage-earners."

In a word, the unions strive along these and many other lines to make this world a better place in which to live, for those who are obliged to pass their existence in constant toil; and scarcely a greater calamity could befall any nation than the blotting out of the trade union movement, which should receive the careful

study it deserves at the hands of every student of economic and social science.

The writer does not believe that it is possible for the unions to include within their ranks a sufficient number of workmen to monopolize the labor market, and even if such an attempt made it would prove futile because the strength of public opinion would compel the enactment of laws which would effectively prohibit such conditions.

It is a melancholy fact that recent developments have proved that there were within the ranks traitors to the principles which their obligation demanded they should uphold. To such as these let us hope will be meted out the punishment they deserve. It is the duty of unionists to stand for right and justice to men of all classes and set their faces against grotesque ideas of government.

*David H. Corcoran*

## LABOR SHOULD MEET IT.

(*The Duluth Herald.*)

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THROUGHOUT the history of organized labor the movement for unionism has been justified by its defenders as a necessary step to meet the organization of capital. Arguments have been advanced intended to discredit unionism, but no satisfactory answer has been found to the plea of the necessity of counter-organization.

Recently a body of representative manufacturers and business men met in session in New York City to found an "Efficiency society," designed to promote efficiency in industrial and commercial establishments. The efficiency campaign is comparatively recent, and in certain forms it has met with determined opposition from organized labor. Some of this opposition has been based upon apparently good grounds. Any efficiency system that cuts down the earning power and the industrial rights of the wage earner should be opposed. But at other points there appears to be quite as much in favor of the efficiency system, from the worker's standpoint, as can be found against it from the same point of view.

That the efficiency campaign would sooner or later take on some such form as that sought at this New York meeting was inevitable, but what the attitude of organized labor will be toward the Efficiency society has yet to be shown.

The best step for organized labor would seem to be the formation of a counter organization, an efficiency society within the ranks of organized labor, which shall strive to make every member of the labor body a better workman, worth more to his employers and of more individual value to society at large, and to see that labor shares fairly in the benefits from this joining of efficiency forces. The movement would not only be a conclusive answer to the charge that unionism tends to lower individual efficiency and limit output, but would give organized labor a firm basis on which to meet this new organization of capital. It would furnish a means toward that completer understanding and identity of interest between employer and employé that must be established if our industrial and commercial system is to attain to its greatest possible development and our wage-earners are to secure their fair share of the products of their toil.

## SHALL THE PLAYERS VOTE?

By ROBERT GRAU

EDITOR'S NOTE:—This is the fourth of the Grau series of articles. Mr. Grau is well known in the amusement world, having been connected managerially and professionally with Grand Opera, theatrical productions and vaudeville entertainments. He is a brother of the late Maurice Grau, the world-famous impresario of the Metropolitan Opera House, New York City, and is author of several works on operatic and theatrical matters that are recognized as authoritative.

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A fair estimate of the total number of players, singers, vaudevilliers and other members of "the Amusement calling," who are eligible to vote at presidential and other elections is one hundred thousand. Owing to the rapid expansion of the film industry the number is constantly being increased so that there is ample justification for the efforts now being made to perfect plans whereby this part of the population can cast its vote, if not in all elections, at least in a Presidential year like the present when great national issues are at stake.

Among members of the theatrical profession whose duties necessitate much travel are many men of large influence and keen intellect and with patriotic interest in political affairs. Suggestions have often been made to call a mass meeting of the profession during the summer season, with a view of devising plans that shall give to its members the vote that they now can not cast owing to the migratory character of their vocation.

The importance of a solution of this problem in the second decade of the twentieth century may perhaps be well demonstrated by a reference to the famous Hayes-Tilden campaign, in which the voting was so close that, if the theatrical vote had been cast it might perhaps have prevented the scandal, if it had not changed the final result.

Today some of the theatrical managers are putting forth efforts to influence legislation that shall allow of the casting of this theatrical vote. Three ways only are open: Legislation that would permit the actor or traveling theatrical man to vote in any city in which he may happen to be, upon proving the necessary voting qualifications. To this end a system of identification and of proof would be necessary to prevent fraud or imposition. To the writer it seems that such a system should offer no insuperable difficulties to a profession that numbers among it such men of large affairs and intellect-



# Contemporary Journalism

¶ In this department of The Editorial Review we publish each month the history and growth of a newspaper of prominence. In this number we sketch the successful career of The Duluth Herald.

¶ We also reprint here carefully selected editorials on the vital questions of the day, in which public opinion is reflected and presented unbiassedly in the most forceful and telling manner. To the individual reader it would be an almost impossible task to cull these editorials, for it involves the perusal of thousands of newspapers. Through its trained staff, however, The Editorial Review is able to present this compendious resume of the best, keenest and most up-to-date contemporary opinion, as set forth in the leading newspapers, the value of which for future reference can not be overestimated.

## THE DULUTH HERALD.

*The Duluth Herald* was established thirty years ago as a daily newspaper in a small and scattered community struggling for existence amid a virgin forest on the harsh, forbidding, rock-bound shore of Lake Superior. In those pioneer days *The Herald*, like its readers, had many vicissitudes and considerable hardship. Today the people of Duluth live in the important commercial capital of a far-flung empire of business, manufacture and industry, the potentialities of which are as yet only partially developed, that ranges from the copper mines of Michigan on the east to the wheat fields of Dakota on the west and from the rich farms of central Wisconsin and central Minnesota on the south to the Canadian border and beyond, on the north.

*The Herald* is the leading exponent of the opportunities of this vast territory that extends eight hundred miles from east to west and three hundred miles from north to south. It is the leading champion of the spirit that is developing a region which within its own life-time was given over almost unchallenged to the possession of the wilderness. Today farm and field vie with forest and mine in producing wealth. It has been the good fortune of *The Herald* to lead the van in the army of a conquering civilization.

In 1889 A. C. Weiss, a resident of Minnesota for practically

all his life, and who was for many years associated with the *Pioneer Press* of St. Paul, took charge of *The Herald*, of which he has continued to be president and publisher. In large measure the growth of the newspaper has corresponded to that of Duluth itself. That city has kept pace with the development of the contiguous territory, but it is a notable fact that in the ten years from 1900 to 1910 the newspaper's circulation increased three and a half times as much as did the population of Duluth. From a commercial viewpoint *The Herald* has been highly successful, having by far the largest circulation in its territory and being larger than any other in the Northwest outside of Milwaukee and the Twin Cities. The amount of advertising handled by the newspaper is exceeded in few cities of similar population and size to those of Duluth.

*The Herald* is independent in politics, but never neutral. Its conception of the public duty of a newspaper is that it shall champion the cause of the industrially oppressed, and that its civic aim should be the greatest happiness of the greatest number. Democracy, in the broadest sense of the word, and not in its partisan sense except so far as the Democratic Party may truly harmonize with democratic principles, is *The Herald's* political creed. It has, therefore, taken an advanced stand on progressive measures like direct nominations, direct legislation and direct popular control of all elected public officials, the commission form of government and the "short ballot," regarding these only as means to an end—the rule of the people for the people's interests.

*The Herald* claims to have been the first newspaper in the country to advocate postal savings banks and it has for years earnestly urged the establishment of a parcels post. In 1911 it promoted a campaign to induce the Governor of Minnesota to call an extra session of the Legislature for an increase in railroad taxes, the adoption of a legislative reapportionment act, provision for a presidential preference primary election and other measures. Although interest was awakened and strong support given in all parts of the State, the Governor was not convinced of the necessity for an extra session.

Changes in the staff of *The Herald* have been relatively few. Associated with Mr. Weiss are men who for many years have been editorially and managerially connected with the newspaper, in the building up of which and maintaining it on a high plane of efficiency there has been contributed to the development of the Northwest a work of enduring character.



## THE NEGLECTFUL VOTER

(*Duluth Herald.*)

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THERE is no machinery of government, and there never will be any, that will work automatically to produce results for the common good.

If there are enough venal or negligent voters—and the one is as bad as the other—the most ideal machinery will fail.

The Taft vote in Nebraska in 1908 was 126,997. In the presidential primaries the Republicans cast but 52,213 votes, of which Roosevelt got 31,242, Taft 10,692 and La Follette 10,279.

While Roosevelt got a majority of the votes cast, and so gets the Nebraska delegates, his vote is less than one-fourth of his party's vote in the State, and the State's preference is expressed by a minority of the party membership. Even if he had had all the votes, this would still be the case.

The same thing is true on the Democratic side. The vote for Bryan in Nebraska in 1908 was 131,099. In the presidential primaries the Democrats cast but 35,132 votes, of which Clark received 14,031, Harmon 11,241 and Wilson 9,860. Clark too, though he had a scant plurality of the votes, was given the delegates by a minority of his party—in his case by a little more than ten per cent. of its Nebraska voters.

What became of the 74,784 Republicans and the 95,967 Democrats who voted in 1908 but didn't vote at the primaries? Some of them may be accounted for by the fact that many, nowadays, are so thoroughly divorced from partisanship that they affiliate with neither party; yet you would think that if they were interested in public affairs they would want to express a choice at the primaries.

The presidential primaries are even more important than the election. The people have but two to choose from in November—three, now that many people are voting the Socialist ticket—but they have many to choose from at the primaries. If both parties make mistakes, as they may, the fault is the fault of the rank and file for letting the bosses misrepresent them.

Direct primaries, direct election of Presidents and Senators, initiative, referendum and recall—all are mere machinery of free government. They are effective and useful only if the people use them.

We have consumed a good deal of time and energy in rebuking voters who are ignorant or corrupt.

More to the purpose would be time and energy spent in waking to a sense of their obligations as citizens those who fail to exercise the privilege of the ballot, to gain which their fathers shed their blood—the blood of patriots and heroes.

For the neglectful citizen is far more menacing than the ignorant and corrupt.

If there were no neglectful voters there would be no incentive to herd the ignorant and corrupt.

## THE NATIONAL CONVENTIONS

(*Louisville Times.*)

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THE greatest of all nominating bodies, those which are called the national conventions, have primarily two objects—first the formal declaration of the principles, views and practical proposals of the parties, and next, the choice of those to whom the leadership shall be intrusted. Many things, many practical things, have to be considered. Taking the second object first, it has been pertinently said that what a party wants is, at such a juncture, less a good President than a good candidate; one who will bring out the voters and not too wantonly focus antagonisms. And since custom has pretty uniformly provided that the party in power, like the French on an historic occasion, shall be invited to fire the first shot, so, quite naturally and inevitably, the opposition must in some degree be guided, both as to platform and candidate, by these earlier proceedings.

The task is a difficult one, even to be described as critical; it involves wide and varied responsibilities; it calls for generalship, organization, talents for stage management, even, to no small degree. For more than seventy years, since 1836 in point of fact, candidates for President and Vice-President have been chosen in no other way, all earlier practices having been superseded. As time has progressed certain modifications have been introduced, but in all its essentials the national convention is today what it was at the beginning. The Democratic party still holds to its two-thirds rule, a survival which not a few students of history are disposed to regard as a singular inconsistency, and the utterly unscientific system of representation is still unhesitatingly accepted as the voice of the party.

As we have said custom has prescribed the holding of the first national convention by those in office, and, equally, it has come to be understood that not less than two weeks shall intervene, to the end that the one may not "blanket" the other as a public event of the first magnitude, and for the greater convenience of the leaders—we had almost written, the managers.

The following table gives the dates of the opening of the Democratic and Republican conventions, those of widest national import, since 1880:

Republican.	Democratic.
June 2.....	June 22, 1880
June 3.....	July 8, 1884
June 19.....	June 5, 1888
June 7.....	June 21, 1892
June 16.....	July 7, 1896
June 19.....	July 4, 1900
June 21.....	July 6, 1904
June 16.....	July 7, 1908

For the present year the anniversary of Waterloo, June 18, has been selected by the Republican National Committee, while the Democrats are to gather at Baltimore June 25, or within a week. The possibility that the two may overlap is not remote; the certainty that many—newspaper men, for example—must rush from the one to the other, cannot be overlooked, for, to a very notable extent, the newspapers provide the stage upon which the rivals meet. There is, therefore much to be said in favor of the postponement to a later and more convenient date of this great event which, we will venture to forecast, shall earn the title of epoch-making.

Baltimore, whose affinity for Democratic love feasts is historic and peculiar, could doubtless duplicate her generous arrangements, and the hotel men, who are looking hopefully to the harvest, will have nothing to regret.

## THE SOUTHERN DELEGATES

(*Springfield Union.*)

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THE existing presidential situation, by which the outcome of the Taft-Roosevelt contest for the Republican nomination may hinge on the control of the Southern delegations, lends prominence as never before to the demand for a change in the basis of representation at Republican national conventions. The present mode of apportioning the delegates on the basis of total population, without regard to the relative strength of parties in a given State, gives the Southern States a degree of power in a Republican national convention that is entirely out of proportion to the size of the vote polled for Republican candidates in that section, and encourages a scramble for the control of the negro vote through the influence of office holders or office seekers that is both unseemly and demoralizing. For example, Mississippi, under the present plan, sends 20 delegates to the Chicago convention, while Massachusetts sends 36, although Mississippi polled only 4,363 votes for the Republican presidential candidate in 1908, while Massachusetts polled 265,966. In other words one Republican voter in Mississippi has as much voice in choosing a presidential nominee as 33 Republican voters in Massachusetts. Similarly, one Republican voter in Louisiana has as much a voice in the same connection as 21 voters of New York State.

Apart from the disagreeable and unhealthful results bred by this apportionment, the present method is fundamentally unfair. The naming of a Republican presidential candidate is a party matter, and the population that a State may have apart from the Republican voting contingent, should not enter into the matter. Even if the Republican voters in the South were no more easily bossed as a rule, than Republican voters of the North, it would be unjust and contrary to the theory of our government to give the Southern voter a larger voice than the Northern voter. When we compare one Northern State with another Northern State, or one Southern State with another Southern State, we encounter the same element

of unfairness, though it is not so pronounced as in the first instance.

The only excuse for apportioning the delegates by population is that the relative standing of the parties changes from one presidential election to another, but that excuse is insufficient to warrant the perpetuation of a system that enforces a plan far more inequitable in its workings than any result that possibly could arise from the use of the Republican vote at the last preceding election as a basis of computation. It is high time that a change were decreed in this regard. Republican nominees should be chosen by Republicans without reference to the rest of the population, and one Republican's vote should be equal with that of another. It is too late to alter the basis of representation at the coming convention, but it lies in the power of this convention to prescribe a more rational plan for the convention four years hence, and it should discharge its duty unhesitatingly.

## MONEY IN ELECTIONS

(*Harrisburg Star-Independent.*)

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ACCORDING to reports emanating from Pittsburgh nearly eighty thousand dollars were spent in accelerating public opinion in the Taft-Roosevelt campaign in Allegheny County. Of this sum the Roosevelt forces spent nearly thirty-four thousand dollars. Former State Senator and now Party Boss Flinn contributed \$22,700 of the Roosevelt fund.

Thirty-four thousand dollars is not an immense sum of money to contribute to any gentleman's campaign fund in one county; but since it is reckoned that the whole campaign in Pennsylvania, for both candidates, has cost two millions of dollars, it is enough to set the electorate to thinking deeply. Whence come the immense sums of money that are being spent in the canvass for delegates to the national convention? Why are they contributed? What do the contributors expect as an equivalent? What is the exact worth of the plank in the Flinn-Van Valkenburg platform in respect of the expenditure of money in elections?

If former State Senator Flinn were of the familiar type of insurgent one might understand that he entered the political contest against Senator Penrose from unselfish motives and without an axe to grind. He is not that kind of political crusader. But let that pass for the moment and ponder this plank in the platform: "We pledge the Republican party of Pennsylvania to such legislative and executive action as will \* \* \* define the purpose for which money may be contributed and spent in any general or primary election; limit the total expenditure."

A real reform party or coterie of managers of a reform party practices what it advocates. Did the Flinn people define the purpose for which money might be contributed to their campaign fund? If they did, they succeeded in keeping the matter secret. Did they tell contributors how their money would be expended and for what purposes? But that clause about limiting total expenditures is the most fetching of the lot. What is the limit, according to the precept and practice of the reformers? What limit did they fix for themselves and their friends in the recent primaries and since? These are vital questions, it seems to us, and they ought to be of interest to every Republican voter.

## THE DEMOCRATIC PROBLEM

(*New York Sun.*)

THE sum of the electoral votes of the States under the re-apportionment act of 1911 will be 531, as compared with 483 in 1908. The successful candidate for President this year must carry States that will give him 266 electoral votes. Mr. Taft received 321 votes four years ago as the result of the election in November, and Mr. Bryan's total was 162. Mr. Taft drew two votes from Maryland and Mr. Bryan six. Eliminating Maryland the States which Mr. Taft carried will have 351 electoral votes in 1912, and those States in which Mr. Bryan obtained pluralities will have 166 electoral votes. If Mr. Bryan were to be selected by the Democratic party as its candidate for President at the Baltimore convention he would have to make a gain of exactly 100 electoral votes to secure a bare majority, not counting Maryland; and if Maryland were conceded to him his gain would have to be 92 electoral votes. New York, Indiana and Ohio will have 84 votes under the re-apportionment. With Maryland in his column Mr. Bryan would be eight votes short of election if he carried New York, Ohio and Indiana.

The presumption is that the candidate of the Baltimore convention will carry the Southern States and Colorado, Nevada, Nebraska and Oklahoma, which declared for Mr. Bryan in 1908; and the problem of the Democratic party is to find a man who, as Governor Harmon says, could carry "those doubtful States that lie between the solid South and the solid North." He regards Ohio, New York and Indiana as among those doubtful States, but he has no warrant for it except the fact that Democratic Governors and a majority of Democratic candidates for Congress were elected in those States in 1910. Not since 1892 has New York or Indiana been carried by a Democratic candidate for President, and in that year the Republicans saved Ohio by a beggarly plurality of 1,072, one electoral vote, however, going to Grover Cleveland. If the three States named may be considered doubtful this year, so may New Jersey and Connecticut, which now have Democratic Governors and were carried by Mr. Cleveland in 1892.

Whatever calculation of Democratic chances in 1912 is made there is no escaping the conclusion that the candidate chosen at Baltimore must carry, in addition to the States from which Mr. Bryan received electoral votes in his third campaign, several Northern States that are strongly represented in the Electoral College.



## THE TEST OF DEMOCRACY

(*Baltimore Sun.*)

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"WHAT is a Republican?" is now exciting as much discussion as "What is a Democrat?" The difficulty in arriving at a definition is indicative of the looseness with which party lines are drawn and the independence of voters in both parties.

But in this campaign there is one test by which you can determine whether a man is a Democrat or not. That is his position upon the tariff. If he favors genuine tariff reform, he may be safely enrolled in the Democratic ranks. This does not mean the vague promises of partial revision we get from Taft or Roosevelt's idea of taking the tariff off foodstuffs. It means the thoroughgoing revision of the high tariff proposed by the Democratic majority in the House—a reduction and equalization of rates in the interest of the consumer, remedying the injustice in the present law.

Neither Taft nor Roosevelt nor La Follette holds out any hope of real tariff revision. The voters can seek relief only from the Democrats. The Republican party represents high protection. The Democrats stand for a tariff that is just to consumer as well as manufacturer. The Democrats have outlined the paramount issue in this campaign. Personal feuds, new notions cannot divert attention from it. Tariff reform is the final test of Democracy.

## AGES OF 27 PRESIDENTS

(*Birmingham Age-Herald.*)

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WILLIAM HENRY HARRISON became President at the age of 68, and Theodore Roosevelt at the age of 42. These are the extreme instances of age in our presidential annals. Out of 27 Presidents only five had passed, at the time of inauguration, the age of 60. The favorite presidential age has been between 50 and 60 years.

Some of the aspirants of today are older. Gov. Judson Harmon is the dean of the corps, for he will be 67 next March, and he would crowd William Henry Harrison close for first place in the respect of age if he should be elected President. Speaker Clark is 63, and so is Senator Cummins. Mr. Taft is 56, Mr. Underwood 51, Mr. Roosevelt 54, and Governor Wilson 57.

Beyond a doubt as the republic becomes greater in every respect and the duties of the presidential office heavier the tendency is to select a man for President who is in full strength and vigor—a man about 50 years old, and a man who has lived the allotted age of man is now out of the running.

## A KING'S PASSING

(*Indianapolis Star.*)

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"DEATH THE LEVELER" manifested in an unusual and striking way his power to reduce high and low to an equality when he took to himself Frederick, King of the Danes. With all signs and symbols of his earthly rank absent, this honored ruler fell dead on an obscure street of a foreign city and, like any unfortunate, was carried to a hospital, stripped and laid upon a marble slab of the morgue, there to await identification. Beside him were other slabs bearing other bodies—tramps, waifs, life's derelicts, perhaps, but no marks of difference distinguished King from commoner. All were alike under death's awful seal until the monarch's horrified retainers bore their master's body away in haste and surrounded it with royal trappings of woe.

Life was much of a leveler also to the King, thus suddenly taken. He had been reared with great simplicity, and seems naturally to have been of democratic tastes. He had served as a private soldier, allowing himself no privileges because of his birth, but sharing in all the hardships of his army associates, eating the rude fare and joining in the long marches and the work of the camp. As a student, too, he had not lived in his father's palace, but in student lodgings, and claimed no privileges above his fellows. Throughout his life he was a man of the people, and when he came to the throne, six years ago, was so much loved that had his accession been left to popular vote, he would, no doubt, have been elected, as his son Haakon was in Norway.

Denmark has long been a democratic country, in fact if not in form, its rulers having been in close touch with the people, and for the most, governing wisely and well. King Frederick, in his short period of service, had established himself as a liberal and intelligent administrator of affairs, and though his son Christian will doubtless prove a satisfactory successor, the mourning for the dead sovereign will be sincere. He had played his part in the world as best he knew, and that is much to say for king or peasant.

## WHY PRICES ARE HIGH.

(*Troy Times.*)

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PROF. WILLIAM JAMES ASHLEY, one of the most noted of British economists, has been studying the cost-of-living problem and has reached some conclusions which will be of interest, whether or not they receive general acquiescence. Professor Ashley finds that the increased expense of existence is one of the chief causes of recent strikes, not only in Great Britain but elsewhere, and holds that, in view of the exceeding gravity of the industrial outlook all round the globe, care should be taken to examine causes closely and impartially. A work published by him in which his deductions are set forth is attracting much attention.

Within fifteen years, according to Professor Ashley, wholesale prices in England have advanced twenty-four per cent., and retail prices to a slightly smaller extent. Nearly everything required for the household is dearer, and the professor adds that the same thing is true in varying degree throughout the world. Common-sense teaches that no one cause can be responsible for this condition of things, and most absurd of all is the effort to attribute to the American tariff full responsibility for the increase in the United States. Professor Ashley dismisses that notion somewhat brusquely when he says: "I am one of those who regard neither protection nor a trust as in itself necessarily bad. On the one hand, I am not in the least concerned to defend every measure in the German protective policy or every measure adopted by American trusts. Protection or trusts may do much or little in Germany and America, but it is highly improbable that they can entirely account for the rise of prices, even there, since a rise certainly half as great has taken place in England." This is a blow straight between the eyes at those who hold the American tariff and American trusts solely accountable for increased prices here.

What are the causes, in the opinion of Professor Ashley? He says they are to be found in two phenomena—shortage of production in certain commodities, as cotton and rubber, and a greatly increased production of gold. In other words, the working of the age-old law of supply and demand. Professor Ashley

cites figures to prove his case, and is frank enough to admit that there are offsets to the excessive gold-supply theory. While there have been enormous additions to the world's stock of yellow metal there also have been tremendous expansion in the world's trade, readjustment of currency standards and other changes which have enhanced the demand for gold and to that extent counterbalanced the increased output. And it is evident from this reasoning that the greatest instrumentality in advancing prices has been the relative decrease in production of commodities, accompanied by a higher standard of living. The remedy is to be found in increasing production, and more and more the world's scientific thoughts is turning in that direction.

## THE COLOR LINE AT THE BAR

*(New York Evening Post.)*

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IN their efforts to drop from its membership the able and attractive Assistant Attorney-General of the United States, Mr. William H. Lewis, the officials of the American Bar Association are more and more shaming themselves and the body for which they speak. Mr. Lewis, it will be remembered, is a man of color, a graduate of Amherst and Harvard, for years in the Federal District Attorney's office in Boston, and now a trusted assistant of Mr. Wickersham. He was invited to join the Bar Association by a committee of its Boston members, urged to recruit its ranks. Had he not become conspicuous by reason of his appointment to office in Washington, he would today be peacefully a member of the Association. When opposition to his confirmation developed, somebody noticed that he was a member, and then the trouble began. The President of the Bar Association, Mr. Stephen S. Gregory, from whose standing and antecedents something very different and far better might have been expected, suddenly discovered that the Association was a social body, with whose pleasures at its annual convention Mr. Lewis might interfere, if he should by any chance happen to attend. He then set up the remarkable plea that Mr. Lewis was elected under false pretences, that is, "misapprehension," because there was not written all over his nomination papers the word "colored."

Of course the Boston committee knew who Mr. Lewis was when they certified him to the executive committee for election as a desirable member. For six months he exercised his membership; then he was asked to "voluntarily retire" and give up something "obtained under a misapprehension." Indeed, it speedily appeared that he had actually committed a crime, for he was "insisting on retaining the advantages of an election thus obtained"—obtained by invitation of the Boston membership committee and duly ratified by the executive committee. This, of course, added to the heinousness of the original offence of having a dark skin. The executive com-

mittee then revoked his election. What the Attorney-General, Mr. Wickersham, thought of this action appears from these his words:

"Now—six months later—an executive committee, one-third of whose membership has changed since Mr. Lewis was elected, without the faintest shadow of authority in the constitution or by-laws of the Association, assumes by its vote to cancel the election and to place Mr. Lewis's name on the list of persons proposed for membership. This action is taken at the instance of certain of your members who object to the membership of a colored man in the Association. There being nothing in the constitution or by-laws of the Association to limit its membership to white persons, they, nevertheless, arrogate to themselves the power to cancel a previous election had in conformity with the organic law of the Association, because the person so elected is not white, and to remit any discussion of the question to the next annual meeting of the Association next summer, meantime depriving Mr. Lewis of all rights as a member."

Truly an extraordinary action for a body which presumes in its membership to represent more than any other the majesty and dignity of the law; which assumes to enhance public respect for the profession and to resent with all its power lawlessness in every form!

In the course of their amazing and indefensible actions the officials of the Bar Association declared that this case was exceptional, as Mr. Lewis was the only colored man on its rolls. "No person whatever of another race has been elected to membership," wrote that amazing person, Mr. George Whitelock, the Secretary of the Association, who has recently been compelled to notify Mr. Wickersham that if that able gentleman continued to write him such vigorous (and, he might have added, unanswerable) letters, he would be obliged to refuse to acknowledge or reply to them. Then it promptly appeared that two other colored men, Butler Wilson of Boston and William R. Morris of Minneapolis, were members, and—horror of horrors—Mr. Wilson was actually a member of the local entertainment committee which welcomed the Association on its visit to Boston, while Mr. Morris has been a member for some years. That made a quandary for two such enlightened men as Messrs. Gregory and Whitelock, who had represented, with Alice-through-the-looking-glass logic, that in the Lewis case the executive committee

made "no declaration . . . of ineligibility of colored men to membership in the Association, but only a rescision of the particular election by the committee, which had occurred without knowledge on its part of the candidate's race—regarded as a material consideration in electing!" But Messrs. Gregory and Whitelock have grasped the bull by the horns; to prove that there is really no caste or color feeling in the Association, they have merely notified Messrs. Wilson and Morris that their cases will be brought before the executive committee, and that this notice is given them to "avoid any imputation of laches" and that "you may have an opportunity, should you so desire, of retiring from the Association before any action is taken, and without any publicity."

To this Mr. Morris has replied in a letter so dignified and worthy that it should have brought the blush of shame to Mr. Gregory as he read it. It leaves no doubt as to Mr. Morris's status as a gentleman, whatever may be thought of the actions of others. It should stir every lawyer who reads it to fresh protests against this deliberate degrading of the Bar Association, and would of itself, we are certain, insure the liveliest annual meeting which this body of lawyers has known, perhaps, in its history. Messrs. Gregory and Whitelock have already been deluged with protests from all over the United States. Men of standing in no wise connected with the legal profession have protested against this outrage. As one lawyer of national standing writes us:

"The issues having been made, there will be presented to an association of five hundred American lawyers the question whether they propose to go on record as excluding from their numbers members of their own profession, of approved character, both as individuals and as lawyers, on account of their color. I cannot doubt what the result of that issue will be, nor the impossibility of flinching from it, although it may, and probably will, result in splitting the Association into two parts."

By all means, let the Association be split apart if need be in order that the country may know that at least a part of the legal profession will not stand for such lawlessness, injustice, and narrow prejudice as seem to actuate the present officers of the Association.



## THE SOUTHERN SOCIOLOGICAL CONGRESS

(*Dallas Morning News.*)

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THE permanent organization of a Southern Sociological Congress, which was accomplished the other day at Nashville, is an event at once more significant and important than the casual readers of newspapers are apt to imagine. It must not only encounter the indifference, and even the skepticism, which is the handicap imposed on every new movement, but the prejudice which its very name awakens. Between sociology and socialism there is no necessary and close relation, no political relation whatever, however close may be the etymological relation but, unfortunately for sociology, its projects have so often had a socialistic conclusion that any movement that employs the name of sociology must combat this unreasoned opposition before it can hope even for a fair hearing of its purposes. But such opposition as this is a surmountable obstacle; it only makes progress slow, and can not prevent it if the work it undertakes is a necessary work and really worth the doing.

That in the South there is an immense amount of work that it has made its concern must be palpable to any thoughtful man. The social, political, industrial and economic conditions of this section have not been allowed to evolve in the gradual way which has favored the progress of other sections. The Civil War, but more particularly its immediate effects, subjected the South to revolutionary rather than to evolutionary changes, and entailed mal-adjustments and problems which we should not have had imposed on us if we had been permitted to grow out of the conditions of slave labor and class distinctions into the conditions of free labor and democracy. Furthermore, the South has only lately begun to forge ahead along economic and industrial lines. Its life is no longer solely pastoral; industrial and commercial interests claim, together, almost equal consideration, with the result that, instead of having to direct a single force, we have to manage several, and our problems are complex, whereas before they were simple.

If the prosperity of the South, and that much greater prosperity which is assured it, are not to be a curse rather than a blessing, we shall have to resist the temptation to put all of our energies to material employments, and direct a large share of them to the improvement of the conditions of human existence. It is not enough to raise the average value of live stock; we must be doubly concerned to raise the average value of men and women, to improve the human race. A material prosperity achieved at the sacrifice of social conditions would be our undoing. It is the function of sociology to improve social conditions, and that an organization of Southern men has been perfected to take up this task is a matter of profound moment in that it testifies the crystallization of a higher aspiration and a new-born consciousness that a rich soil favors weed growth no less than the growth of rich fruits, and that if we are to enjoy the fruits without being cursed with the weeds we shall have to engage in a good deal of expert gardening.

Sociology is the science of social gardening. That may not be a very orthodox definition, but it is crudely a true one. Sociology is not sure of its methods; it gropes now and then palpably, advances, stumbles and retreats, and suffers disappointments which alienate some of its adherents. But the conviction that there is a valid work for it to do, an unoccupied field for the exercise of its energies, persists and grows, and it is the persistence and growth of this conviction that sustains it and enables it to recover from its failures and disappointments. Of benevolent and social spirit the spirit of enlightened interest, miscalled altruism, which joys in the intellectual and spiritual growth of the mass, we have no lack; it is probably more than adequate for our occasions. But it achieves little because it lacks intelligent direction and definite purpose. We immure the criminal for a season and then turn him loose, having made none or little effort meantime to strengthen his powers to resist the temptation to repeat his crime. We build sanitariums and spend many millions of dollars to cure a few victims of tuberculosis and provide many more with places in which to die decently, but we are only beginning to take some thought of measures to prevent tuberculosis. We inveigh against ignorance, picture its evils graphically, and yet leave it a matter of parental option whether children shall be brought up in ignorance, and thus suffered to revert into undiluted animalism, or be educated and given a chance to make the most out of their

birthright. We spend many millions of dollars for the detection and arrest of criminals, but a smaller number of pennies to destroy the environment which cultivates evil propensity.

The task which sociology concerns itself with we have been working at for generations, but blindly, without a full consciousness of our purpose. Sociology comes into the field, not to hide phenomena, which has been the effort of our unguided benevolence and philanthropy, but to remove causes. Strictly speaking, its purpose is, not to make men better, but to give them a chance to make themselves better, and thus it is a socialized method of doing a very individualistic work. This is, and must be, the mission of the Southern Sociological Congress. It must strive to unify and co-ordinate, to give scientific direction to the varied and abundant forces that are being dissipated now, forces that are generated of a splendid motive, but usually accomplish so little as to flatter the cynic, for the reason that they expend an organized but misguided enthusiasm.

## THE VENETIAN CAMPANILE

*(Providence Sunday Tribune.)*

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THE peal of the famous bells is again sounding forth from the Campanile of St. Marks in Venice, and that structure, the most conspicuous feature of the beautiful Italian city, is again as it was for a thousand years before July, 1902, when it crashed to the ground. To the Venetians the Campanile was much what St. Paul's is to the Londoners. When it fell the determination that it should be rebuilt was universal in the city, and more than four hundred thousand dollars was raised for the work of restoration. Outsiders offered to assist, but they were only thanked by the Venetians, who felt that they could not share with anyone the honor of the task.

They went about it very leisurely, however, partly because Italian architects and engineers are not the most energetic in the world and partly because they felt that there need not be any indecent haste in a work which they calculated would endure for at least another thousand years. It was somewhat difficult, also, to decide just what ought to be done. It was found that the foundations of the Campanile had never been intended to bear the weight put upon them, and that if an exact copy of the old tower was to be raised it must be on a much broader base. The alternative was to erect a lighter tower on the old foundations. Finally it was decided to enlarge the base and build the tower to the other proportions of the fallen Campanile.

So the new structure rests upon larch piles driven into the earth until what is called "absolute resistance" was reached—that is, until they yielded only one millimetre to a blow from a weight of 570 pounds, raised four and a half feet. As the piles are calculated to have a carrying power of 90,000 tons and the weight of the tower will be only 20,000 tons, there is every reason to suppose that the new Campanile will stand much longer than the original tower, which looked out over the Adriatic and was a signal to home-coming Venetians for a thousand years.

The tower itself is composed of two shafts, an inner one

and an outer shell, between which mounts the inclined plane that leads to the belfry. The two shafts are bound together at intervals by iron rods, so that in effect the new Campanile is a monolith; and if it falls it will fall as one piece and not crumble apart as did the structure of ten years ago. The bricks of which it is built are of special clay, twice mixed and baked in wood fire kilns. They are twelve inches long, six broad and three thick. They have a considerable quantity of salt in their composition and in certain weather conditions show a pleasing white efflorescence all over the tower.

At the top of the brick tower comes the Campanile proper—that is, the belfry—and above that are the old twin figures of Justice and the lions of St. Mark. The roof is of tiles over a steel frame, and on top of all is the golden angel that surmounted the old Campanile. One of the most remarkable incidents of the collapse ten years ago was that this golden angel was almost uninjured by the fall. Some of those who witnessed the catastrophe said that the angel seemed to spread its wings as it fell and to come as gently to earth as a bird. Had the collapse occurred a thousand years ago or more a wonderful legend about the miraculous descent of the angel would have become established.

Why the Campanile fell when it did is a mystery still unfathomed, but why it was destined to collapse some time is well understood. The foundations were not intended to bear the additional weight of the belfry, and some repairs made to the eastern wall in the sixteenth century further weakened the structure. The bricks, too, were old before they were used in the Campanile, having come from the ruined city of Altinum, and may have been centuries in use before they were carted from the mainland to Venice. The old structure was one of the wonders of Venice; the new one will be equally imposing and even more durable, and since the most important features of the ruined tower are incorporated in it the Venetians may fittingly rejoice as if a miracle had restored to them their fallen idol.

## THE LIFE OF SERVICE IS THE USEFUL LIFE

(*Dallas News.*)

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HAPPINESS comes of good, and good of loving service. The active life is the useful life if its activity be impelled by love for humanity. Confucius says that he who wishes to secure the good of others has already secured his own, which is confirmative of the epigram that the shortest and surest road to happiness is to determine to make others so. Cicero says men resemble gods in nothing so much as in doing good to their fellow creatures. The Ram's Horn adds this: "He is blessed already who plans to bless another, and he who would a curse bestow has already bestowed one upon himself." This thought is given further and beautiful emphasis by another: "The luxury of doing good surpasses every other personal enjoyment"; and it receives the stamp of inspiration in this eloquent but blunt statement from James, "Faith without works is dead."

What more beautiful life could one live than is the life of him whose course is directed in accordance with the compelling influence of love? He sees beauty and goodness in the world. "A good man will see goodness in the world, and the man of principle will see principle and integrity in the minds of others." He gets out of the world just what he puts into it. He is grateful for the ability and opportunity to perform deeds of loving kindness. The happiness of such a man is the joy that comes of service, of obedience to righteousness, of the manifestation of mercy and love. The Congregationalist says:

"The highest ideals of right living are wrought out only through service. No other success is to be compared with the success of a useful life. A life consecrated to the cause of helping those who need help, of making practical application of the teachings of Jesus, of helping to upbuild the Kingdom of Righteousness in the place where one lives is the only life that is a complete success."

A life of usefulness is the only life worth while, and it is useful in proportion to its service to humanity. Activity in self-aggrandizement, in the pampering of and pandering to the flesh to the exclusion of acts of moral and spiritual help-

fulness is worse than idleness. Back of all right activity are ideals, the ideals which are the impelling stimulus of the individual, and his success and happiness depend upon the loftiness of his purposes and his activity and continuity of effort. Bronson Alcott says:

"Ideals first and last; yet it is not till these are formulated and utilized that the devotees of the common sense discern their value and advantages. The idealist is the capitalist on whose resources multitudes are maintained lifelong. . . . Thought feeds, clothes, educates the population of the globe—all economies, natural, social, intellectual, spiritual, taking their rise in this stream of power and performance."

Some one has said: "I am learning that success is a matter of habitual concentration upon higher ideals." One must necessarily have an ideal in life, and this ideal must be his highest conception of the right life. If when he fails to quite reach his ideal in one matter, his regret may be mingled with gratification that what he did do was very much better done than it would have been without the ideal or mental standard by which he is governing his actions. There was never a useful and happy life wherein the oars were simply laid in the boat and its occupants floated down stream with the current. Such a one soon hears the roar of the cataract and knows that destruction awaits him. The oars must be used to steer the craft aright and struggle against the rapids before it is too late. The unknown writer who penned the following lines has inspired many a loving deed and sympathizing word:

"I expect to pass through this life but once. Any good, therefore, that I can do, or any kindness that I can show to any fellow-creature, let me do it now. Let me not defer or neglect it, for I shall not pass this way again."

This recalls a splendid thought expressed by Robert Louis Stevenson: "When we look into the long avenue of the future and see the good there is for each one of us to do, we realize after all what a beautiful thing it is to work, and to live, and to be happy." The most eloquent sermon ever preached is a life well lived, and a life well lived is a life of loving service. Evidently it was such a life that inspired the beautiful little poem by Roberta Alice Moore, one verse of which is as follows:

"If Truth I've shown to one whose eyes are blind,  
If to the poor and weak I have been kind;  
If I have loved my neighbor as I should,  
For evil given sent him naught but good—  
Then indeed I can lay me down to sleep,  
Secure that Love divine the watch will keep."

## Literary Notes

A work of most timely interest is "The Wisconsin Idea," by Charles McCarthy, Chief of the Wisconsin Legislative Reference Department, and a member of the faculty of the University of Wisconsin. The reforms effected during the last few years in that State have aroused general public interest in the movement for true popular government and industrial democracy. The author is particularly well qualified by his experience to present the subject of the constructive legislation carried out in Wisconsin, which has demonstrated the practicability and utility of many reforms and political innovations previously regarded as more or less visionary and impossible of attainment. The legislation was, however, passed only after a long and relentless war with the opposing forces. Dr. McCarthy in his opening chapter says that "no one categorical explanation of the Wisconsin idea can be given," and he puts forth no dogmatic assertions, but outlines the difficulties of the problems that have been solved in Wisconsin by patient investigation and persistent effort. One measure led to another as a natural corollary so that the cycle of educational, political, industrial and welfare legislation might be complete. Among the questions legislated upon and put into practice have been State regulation of railroads and of public utilities; the adoption of the referendum and the recall; employment of experts to aid and advise investigating commissions; and the establishment of a reference bureau for the State Legislature. Wisconsin has been purged of much corruption and abuse of office and the State stands to-day as an example and object lesson of good and clean government.

The fundamentals of the Wisconsin idea are the antithesis of Socialism, for the aim is to afford opportunity to individuals to possess property and to better their conditions by giving larger scope for individual efficiency and initiative. Former President Roosevelt, in a laudatory introduction to this book, writes: "All through the Union we need to learn the Wisconsin lesson of scientific self-help and of patient care in radical legislation."

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The three chief problems in the relations of politics to business to-day are banking and currency, transportation and the



large corporations manufacturing and selling products. The first is the most important, because of its fundamental character. It transcends in importance every other business question. To develop a sound banking and currency system in the United States today, that shall meet the needs that have been shown, through panics and otherwise, to have arisen owing to rapid expansion of business, the extent of territory and other causes, the more nearly we get back to the principles of Alexander Hamilton's financial policies, the better will be the system eventually adopted in this country. Whenever the nation has departed from the principles of the great financier who started it on right financial lines, there have resulted trouble and difficulty caused by experimentation. The problem of a bank and currency system should be studied in non-partisan and patriotic spirit, for its solution will affect the future well-being and progress of the entire peoples of the United States in their national and international relations. The Harvard University Press has recently published "Banking Reform in the United States: A Series of Proposals including a Central Bank of Limited Scope," by O. M. W. Sprague, Assistant Professor of Banking and Finance in Harvard University. The volume contains four articles published in the *Quarterly Journal of Economics* in 1909 and 1910. The first of these, "Criticism of Plans for a Central Bank of the European Type," has been modified by a changed attitude of mind on the part of the author who, from having believed a Central Bank to be unsuitable to American financial requirements, came to the conclusion on further reflection that a Central Bank is feasible in this country under certain conditions.

We recommend this book to those seeking light upon banking and currency questions. The author has done his work well.

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There is today in the air so much talk of semi-socialistic lines that the American people are confronted with the task of finding answers to questions of great import to the future of the nation regarding the institutions under which it has existed for more than a century and a quarter. Many propositions in seductive, persuasive and attractive forms are being made to effect the change of a republic founded upon representative government into a socialistic democracy. A great deal of loose thinking and perfervid oratory is being placed

before the public, and fundamental principles and issues of basic character are in danger of being obscured by literary or oratorical pyrotechnics. Under these circumstances the earnest reader who is seeking light and guidance on the principles and practice of government will welcome a book just published by Charles Scribner's Sons, under the title, "Why Should We Change Our Form of Government?" The author is Nicholas Murray Butler, president of Columbia University, and the volume is made up of addresses delivered by him in recent years before commercial clubs, chambers of commerce and other bodies.

Dr. Butler deplures, and points out the danger from, the commercializing of American politics, and sapiently says in the Preface that "the distinction between the realm of government and the realm of individual liberty lies at the basis of free institutions that are to last." He pays eloquent tribute to the Constitution of the United States and to its framers and regards the independent judiciary as "the chief glory of our American system of government and its most original contribution to political science."

With a wealth of imagery and historical lore, Dr. Butler surveys the development of forms of government in the old nations of a bygone past; and he shows how the United States has received from England and Holland the fundamentals of a polity that is building up our nation.

The book is illuminated by historical references, philosophical appreciations and anecdotes that drive home the arguments made. Dr. Butler urges the substitution of a campaign of enlightenment for one of virulent attack and abuse, and opines that there is too much time devoted to talking on politics in its various relations, particularly to business and too little time to thinking. In illustration he tells the admirable story of Robert Southey, the predecessor of Alfred Tennyson as poet Laureate of England. "Southey was boasting to a Quaker friend of how exceedingly well he occupied his time, how he organized it, how he permitted no moment to escape, how every instant was used, how he studied Portuguese while he shaved, and higher mathematics in his bath. And then the Quaker said to him softly: 'But when, friend, dost thee think?'"

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The problem of the Trusts looms large before the world, and the public mind seems at the moment to have turned

from destructive to constructive consideration thereof. An attempt is made by Charles Norman Fay, in "Big Business and Government," to set forth "in brief and simple words, citing such specific instances as are needed for particular enlightenment, how and why business grows big, how far it controls the market," and other matters bearing upon the subject. Mr. Fay looks the "bogy" of Big Business squarely in the face and bases his arguments and narratives of several of the large corporations upon personal experience and upon data actually obtained during many years of connection with business, big and small. He gauges, according to that experience and knowledge, "the dangers which really threaten our country from Big Business; those which arise from unreasoning hostility to great wealth, and the extent to which it seems to an ex-official and also an ex-opponent of several Trusts, worth while to guard against both in enactments of law."

The work is valuable because of the facts presented and the fairness of treatment that is in marked contrast to the loose statements and half-truths regarding the problem, too often placed before the reading public. The author's constructive suggestions and summary of conclusions from a careful diagnosis of existing conditions are worthy of the most thoughtful consideration, particularly at this juncture when some of the Big Businesses are being weighed in the scales of justice and of public opinion.

*Havelock Fisher.*

The Wisconsin Idea. By Dr. Charles McCarthy. The Macmillan Company. \$1.50.

Banking Reform in the United States. By O. M. W. Sprague. Harvard University Press, Cambridge, Mass.

Why Should We Change Our Form of Government. By Nicholas Murray Butler. Charles Scribner's Sons. 75 cents net.

Big Business and Government. By Charles Norman Fay. Moffat, Yard & Company. \$1.00 net.

## With Our Publishers

THE most cursory reader of the news items in the daily press can not fail when perusing the pages of The Editorial Review to note how, month by month, we present a conspectus of the vital questions that are occupying men's thoughts today, historical comparisons and deductions from the experience of yesterday and the trend of the movements, political, sociological and ethical, of tomorrow. Not vaingloriously but with a justifiable pride, we feel that The Editorial Review in these regards stands by itself in higher magazine literature. Take, for instance, the May number. The subject discussed by the editor was "The High Cost of Living Problem," one of the greatest problems confronting the world. The President has sent a Message to Congress on the question; the Consular reports have given us information as to how foreign countries are seeking by cooperative methods to deal with the issues; State, municipal and individual organization inquiries and commissions are busy collecting data, arriving at evidence to aid in finding remedies for the conditions brought about by the enhanced cost of foodstuffs. In a word, the timeliness of the question is self-evident.

Mr. Montague contributed an article on "Patent Monopoly." The President has sent a Message to Congress on the subject, and there is widespread interest in all branches of industry in this important matter.

Mrs. Ballington Booth contributed an article on "The Humanizing of Prisoners." Much attention is being at present given in New York and other States to prison reform, as the news items abundantly prove. In Oregon the Governor has approved some moving pictures representing phases of prison reform. In many urban centres committees have been formed to study prison conditions.

Mr. Marvin's article on "The American Wool Manufacture" had an important bearing upon the general question of tariff revision, one of the most pressing political problems of the day. The action of the House of Representatives in regard to the Tariff Board is interesting in this connection.

Another article was "Popular Election of Senators Under the Federal Constitution," by Samuel Russell. The measure for the direct election of United States Senators was passed by a large majority in the House of Representatives on May 13. Ratification by the Legislatures of three-fourths of the States will make it constitutional law and effectuate a reform that in the course of the years has had many vicissitudes in Congress.

The Woman's Rights Movement, Socialism and many other vital present-day problems were treated from various standpoints in the May number.

Thus THE EDITORIAL REVIEW seeks, each month, to present to its readers the ephemeral, the recurring and the permanent problems and issues that arise in the progress of civilization to higher planes.

Naturally it cannot forecast the subjects that will be presented in subsequent numbers and its policy remains as it began, to give no cut-and-dried programme, but to place before its readers authoritative and first-hand articles on the living issues that arise in our political and social life as a nation. In this way and through the editorial selections, a panoramic view of the events, questions and trend of opinion is given, such as can be found in no other magazine today.

# THE EDITORIAL REVIEW



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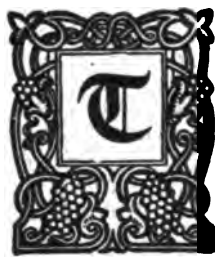
## CONTENTS

	PAGE
The Cost of Living . . . . .	379
Timely Topics . . . . .	381
The American Wool Manufacture . . . . .	385
Wool . . . . .	393
The Lesson of the Titanic . . . . .	394
Luxury or Safety . . . . .	399
The Humanizing of Prisoners . . . . .	400
Prison Systems . . . . .	413
The Preservation of the Fur Seals . . . . .	414
Fight to Save the Fur Seal . . . . .	423
Popular Election of Senators Under the Federal Constitution . . . . .	425
Direct Election of Senators . . . . .	437
The Bogey of the "Patent Monopoly" . . . . .	438
The Rights of a Patentee . . . . .	446
Ballot Marking in Great Britain and Dominion of Canada . . . . .	447
Prevailing Stage Salaries . . . . .	452

## CONTEMPORARY JOURNALISM

The Des Moines Daily Capital . . . . .	456
The Taft Lead . . . . .	460
No Socialist Majorities . . . . .	461
England's German Policy . . . . .	462
Warfare in the Sky . . . . .	464
States' Rights Up To Date . . . . .	466
A World Wide Fault . . . . .	468
Who Is Going to Benefit by the Panama Canal? . . . . .	469
The Problem to be Worked Out in Mexico . . . . .	470
The German Woman's Advance . . . . .	471
What Is An Express Company? . . . . .	474
The Dawn of Confidence . . . . .	475
Literary Notes . . . . .	477
With Our Publishers . . . . .	481

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**THE EDITORIAL REVIEW** is a high-class journal of original thought and the medium for the selection and presentation of dominant editorials of the daily press, thus denoting the views of different sections of the country.

It appeals to those who desire information on questions of high particular and general import. It is a class publication for those who wish to keep pace with every important movement in current general history

# THE EDITORIAL REVIEW

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## THE COST OF LIVING PROBLEM.

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THE high cost of living is the question of the hour. It is one that is engaging the serious thought in all civilized countries of those who directly or indirectly are charged with governmental administration.

The United States has taken an important step in an endeavor to arrive at a scientific basis for determining the fluctuations in values of foodstuffs and wages, by making an investigation of the whole subject by an international commission.

The statistics and data upon which a reliable opinion might be based afford at present no working economic rule whereby the price movements throughout the world may be gauged. Different methods of calculation and statistical indices are employed in different countries and the standards of living vary considerably. This variation makes comparison very difficult and does not enable us to explain the fluctuations in the purchasing power of the monetary unit with any degree of accuracy.

Such a world-inquiry as has been instituted will investigate all phases of the problem and collate reliable and comparative figures and information on conditions that should make it possible to come to definite conclusions as to their causes and the remedies that may meet them with at least partial adequacy. The great nations are now so interdependent and inter-related that a kind of coöperative standardization might result from this inquiry, and a union might take place for the regulation of prices and wage remuneration in a way similar to that of the Latin Union, having for its object the securing of uniformity in currency.

Not only is there today an academic interest in this problem, but a real and vital one on the part of publicists, social reformers, and the people—the consumers—particularly the wage-earners, upon whom presses most heavily the enhanced cost of living.

The present conditions may in part be explained by the forsaking of certain fundamental principles on which society is based. History shows us the lesson, writ large in the annals of a progressing civilization, that human beings have the elemental right to life and happiness. "The greatest happiness of the

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greatest number" can be attained only when conditions that have to do with the nourishment and environment of the people are made conformable to the standards of living that represent the average needs and aspirations of the community.

Today there is unrest all over the world that is, we believe, the result of the play of forces brought about by competition having overstepped the bounds and having become monopolistic in character, restrainful of legitimate trade and commercial progress.

The monopolies favored by circumstances and uncertainty in legal restrictions, have coiled like a boa-constrictor around the agencies for purveying and supplying the necessities of life. As a consequence prices have soared out of all proportion to the increase in wages and income, and the monetary unit has decreased in its purchasing power. In some quarters the great increase in the production of gold is held responsible for the diminishing capacity for the monetary unit to purchase goods.

It is high time that a careful and scientific investigation were made to see how far staple industries have raised prices, and to determine the disproportion in the increase of production and the values obtained as compared with previous periods.

The principal factors that make up this problem and that require elucidation by such a commission are the enhanced cost of living and the wage ratio compared with, say, a decade since; the effect of large combinations of capital on present prices; the operation of increased taxation caused by huge armaments, governmental extravagance, Federal, State and Municipal; and individual blame-worthiness, if such there be, owing to the adoption of standards of living based upon a fictitious instead of a real prosperity.

The problem is international, nonpartisan, and its solution is so vital to everyday living, to social safety, and to the progress of civilization, that no undue delay should occur to investigate it along the broadest lines of humanitarianism and the brotherhood of men.

Much is anticipated from the inquiry. The report and the recommendations of the commission will be eagerly looked forward to as a means of meeting the ominous undercurrent of discontent that is manifesting itself in socialism and labor troubles in many countries where, in the light of our achievements in the mastery of the material world contentment should obtain,

THE EDITOR.

## Timely Topics

*The American Wool Manufacture*, by Winthrop L. Marvin, lucidly and in trenchant language presents the problem of wool production and manufacture, in which our Eastern and Western States are alike interested. Schedule K of the Tariff is still, as it has been for forty years, the keystone of the protective system around which controversy has raged, often with much acerbity. Mr. Marvin states and examines in detail the main arguments of freetraders respecting the wool schedule, and by reference to the report of the United States Tariff Board, he answers the charge that excessive rates of duty result in extortionate prices to the general consumer. That body, composed of Republicans and Democrats, protectionists and anti-protectionists, has collected data and statistics of great comparative value. Upon these can be based the conclusion that, while the duty on woolen goods can safely be lowered, the assertion that the public has been mulcted on the materials forming the clothing of the masses, "by the full amount of duty," is absolutely incorrect. The report throws most interesting side lights upon the relation of wages to the cost of production, and demonstrates that high wages and low labor may often go together. This is especially true in the case of manufacturing processes where high speed automatic machinery is used. The Tariff Board has found that the woolen manufacture is peculiar, in that the machinery can not be driven faster in the United States than in Europe, because very high speed leads to deterioration in the product. Hence anomalies have arisen in regard to wages and cost of production here and abroad. Mr. Marvin shows that there is no Woolen Trust and that competition gives rise to the prices even more than tariff duties. He concludes with a protest against the Tariff Reduction Bill in the present session of Congress, which he characterizes as a "tariff destruction bill" that would bring about disastrous results similar to those which followed the Gorman-Wilson law of 1894.

*The Lesson of the Titanic*, by Lewis Nixon, is a timely article on the steamship disaster that has recently stunned the whole world. Mr. Nixon, who is a recognized naval expert, outlines some of the needed safeguards that will probably be adopted in the near future. Among these will doubtless be an international patrol of caution by wireless telegraphy; the equipment

of all vessels with special apparatus; and an agreement by treaty between the United States and countries with transatlantic and transpacific ocean passenger travel. Valuable suggestions are made regarding equipment for the transfer of passengers from vessels in collision or on fire, and for the adoption of safety appliances and equipment that shall reduce to a minimum the possibility of the recurrence of disasters similar to that of the Titanic. Mr. Nixon concludes his article by a plea for drastic legislation and for a halt to the speed, not only on the high seas but on land, that is an ever present source of danger to human life. The lesson of the foundering of the latest word in ship construction is that of subordinating speed and luxury to safety.

*The Humanizing of Prisoners*, by Maud Ballington Booth, embodies the result of her personal experience in the effort to uplift offenders against the law. Mrs. Booth's work in this direction is widely known. She points out the great change in the attitude of society and of the custodians of prisoners towards them today compared with that of a few decades ago. There is still, however, much need for educating the public to its responsibility and duty towards those behind prison bars. Showing that the cruelties formerly practiced in the treatment of prisoners have been superseded by a spirit of larger humanitarianism, some of the reforms still needed are enumerated. One of the principal things that Mrs. Booth urges is the giving of opportunity for improvement in education and for an equipment for future work in the world when the prisoner shall step forth a free man. She also pleads for the removal from the minds of these offenders, of the belief that the prison stigma is irradicably stamped upon them, because that belief causes them to take entirely wrong views in regard to the law and the attitude of society towards them. Improvements in prison building, the institution of dining halls, the introduction of libraries, and other humanizing influences should be adopted towards the eighty thousand men within our prison walls.

*The Preservation of the Fur Seals*, by William Sulzer, deals historically and critically with a subject that has been controversial for many years and that is now happily within measurable distance of settlement by the Fur Seal Convention recently concluded. Congressman Sulzer traces the story of the fur seal and the ruthless slaughter that makes "a tragedy in the annals of animal life." In 1784 Gerrasin Pribiloff went from Unalaska in the *St. George*, a small sailing vessel, into Bering Sea to

search for the haunts of this amphibious animal. He discovered, two years afterwards, the islands that bear his name and where amphibian life was found in limitless quantity. The various stages in the history of pelagic sealing from that time to the present are traced and a statement of the difficulties still to be feared in the way of a permanent abandonment of this profitable industry concludes this article on a subject interesting to the zoölogist, the biologist, the scientist and to all who would prevent the unnecessary slaughter of the fur seals.

*Popular Election of Senators Under the Federal Constitution*, by Samuel Russell, voices an earnest protest against the increasing populistic tendencies of the day, particularly as shown by the attacks upon the Constitution. Mr. Russell contends that to break down the foundations upon which the Union of the States has been built will not add to the security of our civil institutions, and that the United States Constitution is worthy to be sustained, not alone out of veneration for its framers but also for the wisdom of the work embodied in that famous document. Mr. Russell traces the steps that have been taken towards the proposed changes in the mode of electing Senators, and comments upon the opinions of leading public men regarding an assimilation of the Senate to a second House of Representatives. He sets forth telling arguments in favor of the basic principle in the present system of electing Senators as against that by direct popular vote. Nationalization of the Senate would effectually change the Federal character of the United States Government and go counter to the expressed intention and admonition of those who inaugurated the American system of representative government.

*The Bogey of the "Patent Monopoly,"* by Gilbert H. Montague, voices an emphatic protest against the criticism on the Dick patent case recently decided by the United States Supreme Court. Mr. Montague, who in his practise has had considerable experience in patent law and who contributed to the July (1911) number of THE EDITORIAL REVIEW an article on "The Future of Anti-Trust Legislation," explains the status of patentees under the existing law, and shows how this recent decision dispels, as many previous rulings of the courts have dispelled, the bogey of "monopoly" by patent owners. The progress and well-being of the whole community is jeopardized by any attempt to abridge the rewards for inventions. The problems that face human beings in the ever increasing struggle for existence can in large measure be solved only by new inventions

to meet special needs and add to the sum total of efficient human institutions. Mr. Montague well points out that our patent system fosters invention, and that for the future of American industries it should be maintained in its present form.

*Ballot Marking in Great Britain and the Dominion of Canada*, by James H. Frink, criticizes an article in our September number by Artemas Ward, Jr., entitled "Marking the Ballot by Means of a Stamp," as worthy of more than passing notice, and accordingly he presents an interesting survey and analysis of the election laws and regulations regarding parliamentary elections in the Mother Country and the Dominion. Mr. Frink is Mayor of St. John, N. B., and has studied the question of ballot marking at first hand. He cites the election trial cases in the two countries, the decisions of which are regarded as authoritative and mandatory, and considers that they are "on broader lines than the rulings of the United States courts." The British and Canadian markings held to be valid are given and the writer emphasizes the fact that in the most prominent municipalities in Canada "balloting by marking a cross after the name of the desired candidate seldom causes trouble." The system adopted in the municipality of St. John, N. B., is explained and shown to be simple and as having stood the test of time, for since its inauguration in 1889 there has been no conflict nor official recount of ballots cast.

*Prevailing Stage Salaries*, by Robert Grau, shows the progress made in recent years in theatrical achievement, and makes it apparent that "the player has been well bestowed." Mr. Grau contrasts the remuneration paid today in New York to leading artists, theatrical, vaudeville, operatic and in the general amusement world, with the amounts that were commanded a decade ago. As in other professional fields, so in those that cater to the entertainment and the artistic uplift of the public conditions have changed remarkably, so that many well-known theatrical and vaudeville artists, male and female, can now earn many times what they or their predecessors could command a few years since. Instances are given that are startling in significance. In opera the contrast is not so great, but the leading stars are paid what would have been regarded as fabulous sums not very long ago. Mr. Grau discusses the reason for these increased payments to artists in the amusement world and gives some interesting details.





### WINTHROP L. MARVIN

Secretary and Treasurer of the National Association of Wool Manufacturers. Was born in New Castle, N. H., 1863, and is a graduate of Tufts College, 1884. (Litt. D., 1903.) On editorial staff Boston newspapers, 1884-1903. Member Massachusetts Civil Service Commission, 1901-1904. Secretary Merchant Marine Commission, Washington, 1904-1905.

## THE AMERICAN WOOL MANUFACTURE.

BY WINTHROP L. MARVIN.

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THE American people buy and wear more woollen clothing than any other people in the world. At the present time about 95 per cent. of the enormous quantity of woollen fabrics used in this country is the product of American mills. America is the greatest of all woollen markets, and the manufacturers of Europe hunger for its possession as the children of Israel hungered for the flesh-pots of Egypt in their weary search for the promised land.

Most of the woollen manufacturing of this country is done in the Eastern States. Most of the raw wool is grown in the Western States—largely in States beyond the Mississippi River. Six hundred thousand American farmers and ranchmen are interested in wool-raising. Without protection this industry could not exist—one-fifth of our flocks were destroyed in three years of the free wool Gorman-Wilson tariff. This American wool can not be exported and sold in competition with the cheap wools of South America, South Africa and Australia; and these six hundred thousand American farmers and ranchmen find their only possible market in American mills, on whose prosperity their own prosperity is dependent. Thus it happens that the interest of the agricultural West and of the manufacturing East is directly and indissolubly united in no other schedule of the tariff as in Schedule K, which for forty years has been regarded by friend and foe alike as the very keystone of the protective system.

These two facts—the avidity of European manufacturers and their agents in this country for the rich American market, and the hatred of foes of protection for the strong bond which unites West and East in the wool and woollen sections of the tariff—are sufficient to explain the ferocity with which this “citadel of protection” has been assaulted in every anti-tariff movement in America since 1865. It would not be prudent for one body of assailants to proclaim that the real motive of their attack was a desire to rob American mills of work and wages for the benefit of the mills of Europe, or for the other body of assailants to confess that their object was the quickest possible destruction of the whole protective system of the United States. Certain plau-



sible reasons must be advanced to cover the actual purpose, and these reasons have not materially changed in all the years.

One familiar chief count in the indictment against the American wool manufacture is that the existing rates of duty are excessive and that they result in extortionate prices—the whole amount of the duty, it is alleged, being invariably added to the price of the domestic goods and invariably paid in full by the consumer. This assertion, the traditional plea of the free trader, voiced in President Cleveland's celebrated tariff message of 1887 and reiterated in the report of the anti-protection majority of the Ways and Means Committee of the present House of Representatives, is fortunately something which admits of exact ascertainment, though it has apparently never occurred to the authors of the assertion to look up the facts before proclaiming it.

That service, however, has been performed in a most definite and convincing way by the United States Tariff Board, in the course of its recent investigation. The Board collected a group of representative English samples of cloths with the English price, and matched these with representative samples of American-made cloths that were fairly comparable. It was discovered that even in the case of cloths entirely excluded from our market by the present duties, American mills had not taken advantage of their apparent monopoly to add the duty to the price, or anything like it. The total foreign price of 16 sample cloths was \$41.84. The price with the duty added on these goods if they had been imported would be \$118.74. But the American equivalents of these foreign goods were actually selling for \$69.75.

These figures embody the unanimous conclusions of an official Board of Republicans and Democrats, protectionists and anti-protectionists alike, who declare as a result of their investigation that in these woolen goods of low or medium value, the clothing of the masses of the people, "the prices in this country are not increased by the full amount of the duty." This establishes on the one hand a presumption that the duty on these particular fabrics may safely be decreased, but on the other hand it authoritatively explodes the charge that American manufacturers of American cloths are robbers and oppressors, exacting the full amount of the protective duty from the pockets of the American people.

There is a difference between the \$41.84 price of the European cloths, and the \$69.75 of their American equivalents, but this is a difference of 67 per cent.—not the 150 or 200 per cent. of the gifted romancers who have been crying down Schedule K

in the halls of Congress and the pages of magazines. This difference of 67 per cent. is abundantly explained in the course of the Tariff Board report. In the first place, it is pointed out that the American manufacturer has to pay more for his material, the raw wool, whether this is of domestic or foreign production. Then the cost of erecting and equipping woolen mills in this country is far greater—45 per cent. greater, or more—than it is in Europe. Wages of the operatives are higher—on the average about 100 per cent. higher—and operatives receiving the higher wages in this country do not work any harder or produce a greater output than like operatives abroad.

On this point the Tariff Board report is clear and emphatic. "Wages are in themselves," says the report, "no necessary indication of relative cost of production." "Frequently it is found that high wages and low labor cost go together." This, of course, is particularly true of manufacturing processes where automatic machinery can be driven at very high speed. But the processes of wool manufacture are so complex and exact that close human supervision is necessary at almost every step. If the machinery is driven too rapidly the delicate fabric is quickly spoiled—and woolen machinery, as the Tariff Board found, can be driven no faster in the United States than in Europe.

It follows, therefore, not merely that an American operative is paid twice as much money every week as an English operative, but that it actually costs twice as much money on the average to spin a pound of yarn or to weave a yard of woolen cloth in the United States as it does in Europe. This is not due to any deficiency in skill or enterprise on the part of American manufacturers. Their machinery selected from the best of American or foreign types, is as good as any in the world. The Tariff Board praises the "skillful organization" of "the largest and most efficient American mills," and in the vital matter of careful record and knowledge of costs, the Board found that it could not secure information abroad "in the same detail as in American mills, because foreign manufacturers do not keep their cost in any such detail." The responsibility for the higher prices of American production does not rest with American manufacturers. These higher prices are due simply and solely to the higher range of materials, and the higher wage rates in the construction, equipment and operation of the mills.

England is our chief competitor. Many of the skilled employees in American woolen mills are of English birth and training. The influence that has brought them to the United States

is clearly disclosed on page 826 of the Tariff Board report, in this illuminating comparison of American and British wages—the English figures being those of the British Board of Trade:

Occupation	Sex	Kind of work	Average full-time earnings of 55.6 hours		Excess United States over Great Britain Per cent.
			United States Average weekly earnings	United Kingdom Average weekly earnings	
Wool sorter.....	Male	Time	\$12.38	\$7.22	71.5
.....		Piece	13.42	7.71	74.1
.....	Female	Time	9.71	.....	.....
.....		Piece	11.19	.....	.....
Wool washers, scourers, driers..	Male	Time	8.21	4.93	66.5
.....		Piece	.....	6.04	.....
Card strippers and tenders.....		Time	7.81	5.45	43.3
Comb tenders.....		Time	7.85	4.26	84.3
.....	Female	Time	6.52	3.00	117.3
Back wash and gill-box minders	Male	Time	6.73	.....	.....
.....	Female	Time	5.84	2.83	106.4
Drawing-frame tender.....	Male	Time	6.80	.....	.....
.....		Piece	8.39	.....	.....
.....	Female	Time	6.21	2.68	131.7
.....		Piece	6.79	3.41	99.1
Wool spinners (mule).....	Male	Time	10.40	5.98	73.9
.....		Piece	11.75	7.93	48.2
Warp dressers.....		Time	12.94	6.53	98.2
.....		Piece	14.12	7.91	78.5
Worsted-frame spinners.....		Time	7.40	.....	.....
.....	Female	Time	6.40	2.25	184.4
.....		Piece	6.46	.....	.....
Reelers.....		Time	5.46	2.94	85.7
.....		Piece	6.93	3.56	94.7
Winders.....	Male	Time	7.13	.....	.....
.....		Piece	7.75	.....	.....
.....	Female	Time	5.53	2.66	107.9
.....		Piece	7.08	3.35	111.3
Woolen weavers.....	Male	Time	10.63	6.21	71.2
.....	Female	Time	10.54	3.83	175.2
Worsted weavers.....	Male	Time	12.36	6.12	102.0
.....	Female	Time	9.55	3.59	166.0
Burlers.....		Time	6.15	3.20	92.2
.....		Piece	7.12	3.51	102.8
Menders.....		Time	7.77	3.63	114.0
.....		Piece	9.19	4.30	112.2
General laborers.....	Male	Time	8.21	4.74	73.2

The prices of American fabrics are fixed not by the tariff but by the stress of close, incessant American competition. Wherever any tariff duty happens to be higher than is necessary, this potent force is invariably effective to keep actual prices down to the lowest level compatible with the American wage rate and a living profit. The wool manufacture is not one of the industries

dominated by a trust or combination. There are almost a thousand separate woollen mills in the United States. The largest concern engaged in wool manufacturing in this country owns and operates 35 mills, some of them very large mills and some small, and has absolutely no control over any other establishments. This great concern has a capital in preferred and common stock of \$60,000,000 out of a total for the industry of \$415,000,000. It has about one-eighth of the looms in the United States, and its total output in its most successful year is about one-eighth of the total product of the industry. There need be no wonder then that the Tariff Board pronounces the American wool manufacture to be "in general on a competitive basis." An American woollen trust is as sheer a phantom as the Flying Dutchman.

Another accusation often made against the American woollen industry by its foreign and domestic enemies is that the protective tariff compels the use of inferior materials and substitutes for wool, and results in a deterioration of fabrics. Such a charge is particularly mean and baseless. The Tariff Board has not examined this phase of the question, but it is effectually covered in the recent report of the Bureau of the Census of the United States. These government officials in their examination of the wool manufacture for 1909 show that the amount of wool consumed in condition purchased in the woollen mills of this country exclusive of carpet, felt and knitting mills, etc., increased from 330,179,000 pounds in 1899 to 474,751,000 pounds at the end of the decade—a gain of 44 per cent.; reckoned on a scoured wool basis the gain was 50 per cent. In the same decade the quantity of raw cotton consumed fell off from 40,245,000 pounds to 20,055,000 pounds, a decrease of 50 per cent., while the amount of cotton yarn purchased increased only from 35,343,000 pounds to 39,169,000 pounds, or 11 per cent. "The net result," states the Census Bureau, "is a decided decrease in the amount of cotton used as a material by wool manufacturers."

These official figures are the result of a most minute and exhaustive inquiry undertaken all over the United States by sworn agents of the government. They prove that instead of decreasing, the consumption of raw wool in American mills has enormously increased, to the extent of 50 per cent. in a single decade, a gain out of all proportion to the growth in population. Fifty per cent. more wool has been used, and there has been at the same time a very heavy falling off in cotton. How about shoddy, that other substitute for pure, new wool? On this point the of-

ficial record of the government is equally conclusive. The Federal census says:

"The figures also show a marked decrease in the use of shoddy. The quantity purchased decreased 35 per cent., and the amount manufactured in woolen mills for use therein fell off 10 per cent. In 1899 the total amount of shoddy consumed by woolen and worsted manufacturers was 68,663,000 pounds; in 1909 it was only 53,621,000 pounds, *a decrease all the more significant when the growth of the industry is considered.*"

Those politicians and magazine writers who have been asserting that the protective tariff made new wool so dear that only the rich could wear it and that nothing but shoddy could be found upon the backs of the masses of the American people, have been guilty of an amazing falsehood, proved false by the fresh impartial records of the national government. It is not America under protection but Great Britain under free trade that is the land of shoddy par excellence. As the Tariff Board says in its report:

"The greatest shoddy-producing centre in the world is in or near Batley and Dewsbury in England. Of the 900 rag-picking machines in the United Kingdom, Yorkshire in which Batley and Dewsbury are located has 881 machines. In the whole of the United States there are only 346 rag-grinding machines."

In other words, the shoddy industry is only a little more than one-third as large in the United States with 90,000,000 people as it is in the United Kingdom with 45,000,000. American woolen mills, whose use of shoddy is as compared with Great Britain negligible and decreasing, consume annually one-fifth of all the wool produced and consumed in the whole world.

Any traveler with open eyes and open mind can readily compare the attire of the masses of the work-people of Great Britain or the Continent with that of the wage-earners of the United States—and comparing can understand why the very first thing new immigrants do in this country if they have any money in their pockets is to discard their Old-World garments for real American clothes. Except for certain light-weight fabrics in which the labor cost is a dominating factor, the only woollens now imported into America are the fine, costly, "exclusive" fabrics of the very rich—luxuries and properly taxed as such. Mr. E. H. Van Ingen, a great merchant of New York, the chief importer of English cloths and familiar also with American cloths, has lately said of the products of American mills:

"There are no more expert manufacturers anywhere than the best of those in this country. They are wonderfully quick to catch ideas, to modify, alter, improve and to meet quickly the ever-changing demands

of fashion and fancy. They produce as great a variety of woolen cloths as can be found in the whole of Europe together.

"The fine and medium grades of the woolen cloths made here are generally better than those of equal quality to be obtained in any other country. American colors are, as a rule, better, clearer and more lasting than those of similar foreign-made fabrics. The designing talent in America is quite equal to any in Europe."

These frank words of an importing merchant are an effective answer and rebuke to those mean Americans who for politics or gain have so contemptibly slandered the honesty and skill of their fellow-countrymen.

American wool manufacturers are not averse to changes in the present tariff if these changes are necessary and are carefully made to preserve the protection which the industry requires against the cheap wages and consequent low costs of Europe. But in any tariff revision it is imperative that responsible law-makers should recognize that the industry is intensely competitive in its character, as the Tariff Board has shown, and that it is conducted with a perilously narrow margin of average profit. Actual analysis by the Tariff Board experts of the costs of production of a typical all-wool ready-made suit of clothes selling at retail for \$23 and upwards has shown that the cloth manufacturer received for all the cloth in this suit only \$4.78, and that his total profit was 23 cents. Manufacturers have testified that their entire average profit on the cloth in suits of a lower price than \$23 was only 17 cents, and that a profit of no more than 40 or 50 cents was secured on the cloth in merchant tailor suits selling for \$50 or \$60 "good enough for the President of the United States."

The tariff reduction bill which has passed the House of Representatives purporting to revise Schedule K might well be styled rather a *tariff destruction bill*. It leaves to American wool manufacturing an actual margin of protection one-third less than that of the disastrous Gorman-Wilson law of 1894. That law found American woolen mills in the possession of nine-tenths of the American market. It gave to foreign mills the possession of one-half of the American market, brought idleness, starvation and despair to thousands of American wage-earners, and flooded the country not with good and low-priced but with poor, flimsy, low-priced foreign fabrics of shoddy and cotton, a fraud on the people who bought and wore them because in the terrible wave of business disaster which swept the country when the mills closed they could buy and wear nothing else.

What the American people thought of Gorman-Wilsonism on

actual trial was quickly demonstrated in the Congressional elections of 1894, when the political party responsible for it met the most terrible defeat ever recorded in American history in a year of peace, and the free trade majority that had passed that ill-fated law in the House of Representatives was displaced by a protectionist majority of 116. Every conspicuous public man who had had any part in the framing of that tariff to rob America and enrich Europe was banished from public life, and for sixteen years thereafter the protectionist party remained in undisputed control of Congress and the National Administration.

Beyond the shadow of a doubt another political onslaught on American woolen mills and American industries in general would provoke a like swift and terrific retribution in the Congressional election of 1914. But meanwhile the country would have paid the price of a great foreign war in crippled business and reduced or vanished wages, to demonstrate to another generation the folly of free trade. The torrent of attack from foreign and domestic sources that has poured out upon American manufacturers is due to their resolute resistance, not to a change that would leave the American tariff honestly protective, but to a vindictive, rabid, right-and-left slashing worse even than that of 1894.

Winthrop L. Mavin.

# Editorial

## WOOL.

(*Kansas City Star.*)

IN the current issue of the "Outlook," President Taft presents, in the shape of an interview, a convincing argument in behalf of the tariff board which was constituted as a result of the fight made by the progressives in the tariff session of 1909. It ought not to require argument to show the immense advantage to the country of the mass of useful information on the cost of production at home and abroad. No one could watch the performance on the Payne-Aldrich Bill at close hand without a sense of shame at the lack of equipment for dealing with a measure of such vast importance.

By all means the tariff board ought to be continued and liberally provided for.

The President's defense in the same interview of his veto of the Wool Bill passed last summer is far less convincing. Briefly it is that Congress should have waited for the complete report of the tariff board which was to be ready shortly. But it was a condition and not a theory that confronted him. It is the most difficult thing in the world to get legislation on contraverted questions from a Congress in which one house is Republican and the other Democratic. By an unusual combination of circumstances a fairly satisfactory revision of the woolen schedule, based on adequate information, was agreed to by both houses.

Providence had delivered the situation into the President's hands. Here was a chance to obtain relief from duties that were agreed on all hands to be extortionate. There was not the slightest likelihood of such an opportunity arising again. But the President threw away the chance. He vetoed the bill, not on the ground that any particular feature was unjust, but merely because the final report had not come from the tariff board.



## THE LESSON OF THE TITANIC.

BY LEWIS NIXON.

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So far as causes of the heart-rending disaster are concerned we know that while going ahead the Titanic struck an iceberg forward, opening to the sea, through actual breaking of the hull or disturbance of fastenings, enough of the forward water-tight compartment to bring her down by the head to below the danger point.

We may assume that the unsinkable ship is an impossibility, certainly if one were built it would be of little use except as an object lesson in flotation. If then the results of such accidents in the normal ship can not be avoided we must avoid the accidents, or, if they do occur, safeguard life and property as much as possible.

We have progressed so far in the art of shipbuilding that we have put the perils of the elements behind us, in that vessels will not founder from wind or the fury of the sea as in the past.

Practically the dangers to be met now are the results of collision and fire.

Icebergs may be avoided by keeping out of their track, but as the traveling public would soon demand the shortest distance passage this provision for safety will not be in general use unless rigidly enforced for all lines.

As to warnings we shall doubtless have an international patrol to caution by wireless just as we give notice of changes of weather. But the Titanic knew of the presence of bergs in her path and this one crossed it just at the instant to do the utmost damage. Skilled mariners were in control so we must assume that all the usual precautions were taken, especially closing of water-tight doors and keeping a sharp lookout ahead. Whether the searchlight was used at intervals is not known at the present writing though the weather was not thick. The master of one vessel who ran into a berg a few years ago said he took it for a cloud.

In a fast vessel we can not depend upon changes of temperature of water and air for timely warning. The whistle's echo can be caught at quite a distance when thrown back from an iceberg and it should be possible to develop a sound that could be echoed back



### LEWIS NIXON

Shipbuilder, was born at Leesburg, Va., April 7, 1861. Graduated at U. S. Naval Academy, and was sent to the Royal Naval College, Greenwich, England, by the Navy Department. Designed battleships Oregon, Indiana and Massachusetts, and built over 100 vessels, including monitor Florida, submarine torpedo boat Holland and cruiser Chattanooga.



below water, and the berg located by the submerged bell apparatus now on every vessel.

But bergs are encountered for only a short season during the year. The number of vessels, however, is increasing rapidly and I believe that the volume of commodities carried upon the seas will double in the next twenty-five years. This means that the chances of collision may increase.

With the rapid development of the application of wireless telegraphy all vessels will probably be equipped with a special apparatus of very different tension from the main wireless outfit which up to twenty miles will enable vessels to keep in intimate touch, acting practically as feelers.

Then, I trust, experts in radio engineering will devise a needle which will place itself in the line with a ray projected from another vessel and so point to such vessel.

It is to be hoped, too, that some form of radiant energy will be found the rays from which will penetrate a fog. I have for years suggested experiments in this field that our ferry-boats might navigate more safely and surely in fogs.

It is easy to see now that a state of mind had been brought about through the conditions of preceding accidents which rested secure in the idea that the modern subdivided vessel could, as the result of any accident, remain afloat long enough to summon assistance and that boats would ferry passengers to the rescuing vessel. It is very probable that many felt in the first hour after the collision that putting women and children in boats was an extra refinement of precaution and that within a few hours they would again be hoisted on board.

Possibly there are fatalists who think a small boat no place for passengers in any except a smooth sea, a condition never long continued on the North Atlantic off the Banks.

But every man who trusts himself to the charge of a steamship company is entitled to his chance and his chance may come in the conjunction of a smooth sea and a collision as with the Titanic.

We can and should by law, after abrogating or amending treaty provisions to the contrary, absolutely forbid any vessel clearing from a port of the United States that does not comply with our requirements as to equipment, and with our own vessels could even extend our governmental influence and control to the high seas. *And our requirements should provide life boat accommodation for every person on board.*

But suppose foreign owners should tell us that our requirements are too drastic and that they would not submit to them.

So complete is our dependence upon foreign shipping that we should be bottled up and our foreign trade stagnated.

Is such refusal likely? No, because our legislation is apt to be very reasonable, and even if too severe the last thing foreign shipowners wish is an awakening of our people to our helplessness on the oceans. A few years and trade routes will be preempted, spheres of influence clearly apportioned out on the seas and such lines of influence and exploitation recognized and supported as vested rights by those nations profiting by them, which nations will naturally band together to support a situation as pregnant for profit as colonial possessions acquired in practically the same way.

Both to protect our people in their material interests and in the safety upon the oceans we should have a merchant marine adequate to our needs. Why must we assume that American enterprise and ingenuity so triumphant on land loses in potency at the shore line?

Had our shipbuilders a chance to build the great steamers that now plough the seas we should not have been content to advance only in speed but would have devised such changes in hull, in structure, shape, safety appliances, arrangement and equipment, as would have kept pace with the advance in engineering.

The Titanic in general appearance is about the same above water as vessels of 30 years ago, yet speeds have nearly doubled. The above-water shape and arrangement of vessels of great speed must be radically changed. In the evolution of such changes the question of safety for passengers will be given full weight.

In the discussion now going on many will be misled by the term "small boat." The life boats of a liner are great heavy unsinkable structures that require great expertness and training in lowering and which in any sort of sea are dangerous to occupant in lowering and releasing. They are not small boats by any means. It is extremely difficult to stow them one above another. The present-day deck force, while splendid men for their particular work, are not always expert in handling boats in a heavy sea. We shall probably soon come to power boats for the life boats just as we are doing for life saving service at shore stations. Where one man can be found who could handle the heavy oars of a life boat twenty men will be found in passengers and crew who can manipulate an automobile motor.

I can see but little improvement to be arrived at in lowering boats. The davit of the Welin type is now largely used. The ordinary curved davit in which there is difficulty in swinging the

boat into position from her chocks should not be depended upon. Of course all sorts of devices are now being proposed, such as popping-out boats on the cuckoo clock order, but they are impracticable.

Very much larger boats roofed over that could be lifted from a number of boats stowed across the vessel and swung clear of the ship by a derrick and dropped would be better than the ordinary davit boat in that there would be less danger to passengers as they would get into such boats in place. But they could be put over only one at a time and the great drawback of dependence on power which may fail when most wanted is encountered.

To build a part of the upper deck as a great pontoon or flat steel box raft which can be launched overboard seems the best solution though in no sense to be considered as supplanting the life boats. Passengers would know where this pontoon was located and would naturally go to it in an emergency. It would have a small gas engine wireless outfit and some water and provisions. Following the same thought there should be a small specie and jewel compartment that would float in case the ship should sink. To look down from a great height into the water deters many in despair from jumping, even when they have on a life belt. Chutes will be fitted to the sides of vessels in the future down which passengers can slide into the sea without risk of injury from a high jump.

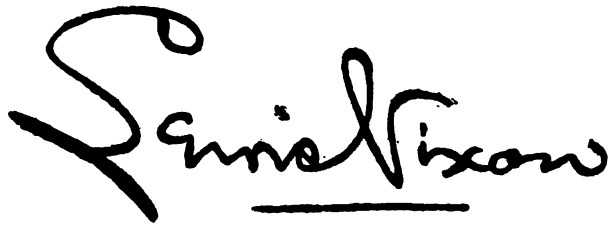
I have discussed this from the point of view of equipment to transfer people from ship in safety to some form of support on the sea. The causes that may force them to abandon ship are fire, collision with derelicts and icebergs.

The traveling public must take its share of the blame as they are impatient with delays even though caused by precautions taken for their safety. However, they are made to pay for luxuries and comforts and have a right to expect that they are provided by men who only add such luxuries after providing every proper device for safety.

Peril on the sea will be less in future after this sad lesson, for those steamship companies disposed to be reckless will be forced to safeguard their passengers and we may be sure that governments will take charge of the situation with the very much needed strong hand. It is to be hoped, though, that legislation will be so drastic that life-saving and danger-warning devices will reduce to a minimum the possibility of the recurrence of a Titanic foundering. Not only upon the high seas but also on land there is urgent need for more effective safeguarding of human life by

diminishing the speed and reckless haste in transportation that has taken possession of the traveling public within recent years. Safety has been too often sacrificed for speed and luxury, as the holocaust of death on railroads and in the streets of our large cities gruesomely attests. The lesson of the Titanic disaster should be to cry a halt in this direction.

As a practical outcome in the way of legislation there must be laws requiring all vessels leaving our ports to install *adequate* and efficient life-saving appliances; to carry wireless operators in such numbers as to provide for having an operator always on duty; to exact compelling penalties for failure to answer calls of distress or for sending misleading or false messages and for not observing special precautions prescribed when warned of dangers.

A large, stylized handwritten signature in black ink. The signature appears to read "Samuel Nixon". The first letter 'S' is very large and loops around. The name "Nixon" is written in a cursive style. A horizontal line is drawn under the name "Nixon".

# Editorial

## LUXURY OR SAFETY?

(*Troy Times.*)

THE art of shipbuilding, as regards the great ocean-liners, has been brought to the highest perfection so far as luxury and splendor are concerned. Has there been equal care to assure safety? The question has vital interest, and is especially pertinent at this time. The new steamers, of which the Titanic was a type, have everything to administer to the comfort and pleasure of passengers, including swimming pools, ballrooms, gymnasiums, beautiful and commodious cafés, roof gardens and large private suites equipped with showerbaths and other appliances. It has been assumed that in addition to these there were ample means of protecting life. In fact, the impression has been created that vessels of this class were absolutely exempt from the ordinary "dangers of the sea." As regards the Titanic it was declared over and over again that she was unsinkable. The fate which has created horror in two hemispheres is its own answer to that statement.

Capt. E. K. Roden, a distinguished naval expert, in an article published in "The Navy" last November, reviewed the conditions and made suggestions which in the light of the recent tragedy seem to have been prophetic. He paid tribute to the skill and taste in designing and constructing the splendid liners, but he pointedly intimated that magnificence of outfit might be accompanied by lack of adequate life-saving appliances, especially boats. That the fear had only too tangible a basis is told in the story of the Titanic. In the shock of the collision with the iceberg the vaunted watertight bulkheads proved a delusion, and when it became necessary to leave the ship there were not boats enough to remove all those on board. Captain Roden pleads for greater care in this respect, saying: "When building a new ship the extra cost for the best safety appliances is only a very small fraction of the total cost of the ship, and a trifle compared with the cost of the luxurious appointments of the interior."

"The Navy" gave hearty approval to this view, and while expressing the belief that "ships of today are practically proof against the elements" under normal conditions, admitted that "they are far from being beyond the risk of misadventure," which proved too sadly true in the case of the Titanic.



## THE HUMANIZING OF PRISONERS.

BY MAUD BALLINGTON BOOTH.

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TWENTY years ago the lot of the man behind the bars was very different from his chance of today. The world at large thought little of his welfare and cared less. The idea of those who had charge of him, and even of those who hunted and prosecuted him, was that his imprisonment was a means of punishment and retribution for his wrong-doing, quite overlooking the fact that it really should be the means of his reformation. The greater the humiliation, the harder his lot, the more absolute his isolation from the outside world, the better could that punishment be inflicted. Society's attitude of indifference gave the prisoner no court of appeal against the hopelessness of his prison condition and its antagonism to him on his discharge made his return to the world of free men a nightmare and dread instead of the dawn of brighter days.

When I first took up the cause of the prisoners of our country and studied their conditions within the walls I was appalled to note the hopelessness, hardness and bitterness that existed in their hearts towards the outside world and towards their own future. They had been made to feel that the stigma of state prison was so damning a stain that they could never take their place in the world of honest men again. When I talked with them as individuals, they would say to me with a shrug of the shoulder, "Once a thief, always a thief; once a convict, always a convict. What's the use of trying to do anything better in life?" They had heard, had read and had instinctively realized the pessimistic views that had been voiced concerning them, and in many instance they used the same arguments as excuses for drifting on in the same hopeless, good-for-nothing life. When I went out to the world to plead their cause, I found exactly the same opinion voiced by those whose honest and upright lives made it impossible for them to understand the temptations and handicap of many of these who had become prisoners. It surprised and shocked me to hear them often doom the whole prison population with the sweeping assertion, "Once a convict, always a convict," while some would carry the argument fur-



### MAUD BALLINGTON BOOTH

Was born at Limpsfield, Surrey, England. Came to the United States in 1887, and engaged with her husband in Salvation Army work. Afterwards in that of the Volunteers of America. In charge of extensive prison work throughout the United States. Author of "After Prison—What?" "Wanted—Antiseptic Christians," and other books and pamphlets.

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ther, quoting the measurement of skulls, the taint of heredity, or other theories, to back up their hopeless attitude.

The walls of prejudice and ignorance built from an exaggerated idea concerning the depravity of convicts were truly higher and sterner than those great walls of stone raised by the state to restrain from liberty those who must learn their lesson in durance vile. The world's attitude of wholesale condemnation and mistrust, together with the offender's lack of confidence in himself, became largely the cause of creating a prison class, a hopeless herd of habitual criminals who, finding the door of honest labor closed to them after their first misstep, become outlaws of society. It could truly be said of these, "Every man's hand was against them," so they stood together against every man. There exists, therefore, very clearly a two-sided question. There is the prisoner's attitude to the world and the world's attitude to the prisoner. So strongly do they affect each other that they can not be separated.

As I have studied the question within the walls during fifteen years of close friendship with the prisoner and have come in contact with the great public of America in pleading his cause, I have come to see very clearly some of those aids that are needed to solve this great problem which has been a problem very largely because of mishandling, misunderstanding, ignorance and prejudice. There is certainly needed a wide-spread education and enlightenment of the public as to its responsibility toward the prisoner. The more I have talked with individuals on this question the more have I found that the moment people see the need and understand the situation, hearts respond in sympathy. So many have gathered their impressions from mere hearsay, have been prejudiced by the over-colored stories of crime, have in their mind some especially atrocious criminal who stands to them for the whole class, so that a few exceptions of innate depravity and brutality smear the whole prison population in their minds with blackest coloring. The prisoner is a law-breaker, he is often a weakling; he is the morally sick man of society, but that is no reason why society should wash its hands of responsibility towards him. We build our hospitals, we train our doctors and nurses, we put forth every effort that skill, money and care can devise to save and restore our physically sick. Were any one to suggest in these days that these unfortunates should be taken out on the mountains to die as did the Spartans, the world would protest in outraged horror. These who are morally weak and sick, these who through temptations

have fallen by the way, should be treated with equal thought and care and common sense. I do not mean by this that they should be excused, that comforts should be given them, that they should be held irresponsible, but I do mean that the great community of the strong, the honest and straightforward, should realize the world's duty towards them in seeking to straighten that which is crooked, to lift that which is fallen, to cleanse that which has been tainted by the many temptations which we allow to exist in the path of our weaker brother. The Christian Church should be aroused to its responsibility, and eyes that have seen only the need of the heathen abroad or of the poor begging at our doors should be focussed by patient enlightening effort on these who, behind prison walls, need all the hope and pity, all the loving teaching and moral uplift that the sweet evangel of the Christ can bring to lighten their darkness.

Then for the other side of the question. The prisoner must be made to feel that he is receiving justice, that the law is seeking to teach him a lesson, not merely using its greater strength to wreak vengeance upon him. He must know that the world has not done with him, that his opportunity is not lost forever, that he is to have a fair, square chance to work out his own salvation if he is ready to give up the old crooked ways. To talk of the abolition of prisons, to condone offenses against the law, to make injured innocents out of wrong-doers is but maudlin and perverted sentimentality. The law is not only society's safeguard, but it is the safeguard of the individual against his own weakness, vice or evil inclinations. Prisons are necessary, and many a man within the walls realizing the devastation that evil things wrought in his past life has exclaimed, "I thank God I ever came to prison." It is a place where men can stop and think, it saves many a one who in a few years, because of the vices to which he had abandoned himself, might have been in the grave. In prison, self-control must be taught those who have not learned to control themselves, but we must see to it that our prisons elevate instead of degrading men, open to them an avenue to a new and better life instead of branding them through hard and unjust treatment or making them unfit to take their place in the world of honest labor in the future.

In the past it could truly have been written over the doors of our prisons, "Abandon hope all ye who enter here." The one idea of prison officials seemed to be that a convict was turned over to them to degrade, punish, drive, humiliate. On his arrival his head was shaved, he was dressed in the hideous

stripes, made to walk in the branding lock-step, put at hard tasks without any regard to his physical condition, shut up to sleep in an unclean and unhealthy cell and often punished at every excuse with cruel brutality. He was often the butt of ignorant and brutal keepers who swore at him, aggravated him, goaded him past endurance, driving him like a slave at his work and then if he resented the treatment or failed in his tasks, he was punished with the utmost injustice and sometimes with great cruelty. Men came to our prisons just like the other members of society from which they were taken because of some misstep, but they crept out some years afterwards poor wrecks, cowed, nervous, diseased, or worse still, dangerously brutalized and bitter against the world. Many men entered prison strong and robust and within a few years died in the prison hospital of tuberculosis or came out to die of that scourge contracted in the dark germ-infected cells. These things existed, and a thousand voices could be called in testimony of the fact today, but alas, few knew of it in the great outside world and few cared. Sometimes men were flogged to death by brutal guards; men were shut for days, even weeks, in the dark cells where neither light nor sound could reach them and where they lay on the stone floor without mattress or covering. In some states other cruelties too horrible to repeat were practiced upon them, that maimed, paralyzed or broke them in body and mind. It could truly be said that the state took human beings into its charge and brutalized them instead of taking the brute in society and humanizing him. Now I do not charge that this was done with the support of the law; I do not say that this was purposed by those in high authority, but I do say that neglect and lack of interest allowed conditions to develop which seemed to be nobody's special business, so nobody cared.

Now it must be remembered that there is no criminal *class* except where the stigma of prison has given a man so bad a name that he is shut out of society and compelled to take his place among those who must either starve or steal. Talk personally to the thousands of prisoners in our great state prisons, study the faces of the great audience in our prison chapels, or, if you will, look up the cases in court and prison records, and you will soon be convinced by this mass of testimony that those in prison today have come from every section of society, from all kinds of homes, and that they were once part of the ordinary, free, work-a-day world. There is a very small percentage (so small in fact as to be counted by the dozens, not

even by the scores) who could be spoken of as irresponsible through moral degeneracy. There is another percentage, perhaps a little larger, composed of clever professional criminals, but even these took up their nefarious profession in many instances because the door of honest labor was closed to them after their first imprisonment. The large majority of men in prison are so thoroughly human that we do not have to think of humanizing them. We have but to see to it that their prison experience does not blight, sear, or brutalize them.

What can be done to save these men from the downward tendencies of their first misstep? First, the stigma of prison should be removed. The man should learn, even in the court room, that the state is not going to damn him forever; he must be shown that the law is his friend, that he is his own worst enemy. He must realize that he has wrecked his life but that the state is going to help him to rehabilitate himself. The day he steps over the threshold of prison should be the first day of the new life. No prison officer should treat or think of him as burglar, murderer, forger or thief. He should feel that the past is a closed book and that from now on he is to go forward to better things. If he is illiterate, the state should give him a chance at education; if he is sick, the state should find out his physical defects and as far as possible should rectify and cure them. He should be taught to work, encouraged to make something of his abilities; led, guided, drilled into better actions and modes of life. Above all, he should be treated with strict fairness, and should be convinced of the impartial justice and the personal integrity of those who control his life. So often the man in prison has smarted not so much under the just punishment that the law has meted out as under the little petty injustices that have been practiced upon him in his daily life. No prisoner should ever be beaten. All enlightened students of the question agree that corporal punishment degrades and brutalizes not only the man punished but often the man who in anger wields the lash. The brutalities which under the system of corporal punishment have been inflicted in our prisons in the past have not been through the harshness or cruelty of prison wardens or prison directors, but have arisen almost entirely from the fact that the inflicting of such punishment has been in the hands of subordinate officers who have often been actuated by anger, prejudice or brutality in the inflicting of punishments authorized by the state. In most of our prisons today corporal punishment has been abolished. In fact, it is only in a few that

it is tolerated; the dark cell exists no longer; the old cruelties have disappeared. The mode of punishment which has taken their place is simply solitary confinement in the punishment cells. I have gone into many of these cells, and have found them light, well ventilated and sanitary. There are, I admit, some prisons and some states where corporal punishment is still inflicted, and it behooves every lover of humanity to use his influence to rectify this error in the treatment of prisoners.

Now what has been accomplished in our prisons on the lines of reform? All over the country there has been a great change, so great that as one prisoner said to me in speaking of the prisons in New York State in which he had served twenty years, "Little Mother, it is as great as the change from darkness to light." In many prisons the stripes, the head shaving, the lock-step, corporal punishment, the dark cell, the hard tasks at contract labor, have disappeared. The contract system of work in which men were overstrained and kept at employment which they could never utilize in freedom has, in many prisons, been a terrible disadvantage. The remedy to this evil has been the introducing of the State's Use System of work. In prisons where it has been adopted men work for the state making only those things which can be utilized in the different state institutions. In this way the prisoner can be put to work at trades which he can use to his advantage after his discharge. In Texas, Louisiana, and Georgia, the awful lease system in which the state leased its prisoners to employers who paid for them and then housed, fed, clothed, worked, drove or neglected them as they chose, has been abolished. These states now employ and care for their own prisoners on great farms and plantations under wonderfully improved conditions.

A very helpful interest in the prisoners' physical condition has been manifested during recent years. Tuberculosis hospitals and camps have been established in connection with many of the prisons and directly a man shows signs of the disease he is given all the advantages of fresh air and the most improved scientific treatment. He is kept away from those he might contaminate and in many instances has been cured before the time of his discharge.

Night schools have been established and in some prisons, especially those of New York, day schools to which all the illiterate men are marched when the others go to work in the shops. In many of our prisons, an officer who swears at a prisoner is discharged, and an officer who is seen drunk immediately



loses his position. In the past both these offenses were often committed with impunity and it is no wonder that men were insubordinate under such control. If the states were more generous in their policy toward our prisons many of our wardens, splendid men with advanced and humane ideas, could do far more for the improvement of prison conditions than it is now in their power to do. They have not been able to employ the right stamp of prison guards, men of a certain refinement, intelligence, and cleanness of life, simply because the salaries paid were insufficient. In other states, the wardens have had no say-so in the matter of employing their subordinates, but have had to accept any brutal, ignorant fellow who was given the job as a reward for political services. In Louisiana the Prison Board is composed of kindly, sincere and earnest gentlemen who intend that every prisoner should be treated with justice and humanity, but unfortunately some of the guards under them are drinking men—men who have absolutely no idea of the enlightened and intelligent treatment that should be given those in their charge. To such men discipline means force, so brutality and harshness have existed where the prison authorities stand for kindness and humanity. That state pays twenty-five dollars per month for its guards, and politics has the say-so in all appointments. Surely it will be understood that in the reforming and humanizing of prisoners one of the first considerations must be the influence of those in authority over them, hence the absolute necessity for moral, intelligent and temperate officers.

The construction of our prisons is often a handicap to reform work. Men must have light, air and exercise or they become restless, moody, hopeless and in many instances physically unfit. In the past these necessities were the scarcest commodities to be found in many of our prisons. In the prison at Trenton, N. J., with fourteen hundred men within its walls, they have no exercise ground, no outside courts and many of the cells are so built that they never receive a ray of sunshine; yet, when we wrote to the press and asked the state for better conditions, articles appeared satirizing the warden and saying he wanted his prison a Waldorf-Astoria and that soon each prisoner would demand a private bath-room and a valet in attendance. It is hard to make the world see that the right, sane, just treatment of these wards of the state is not extravagance but that it is true economy which will pay the state if it succeeds in the reformation, the elevation and the upbuilding of these men physically and morally before their discharge. Is it not better

to send them forth prepared to take their part honestly in life's contest, than to turn them out again into the world physically and morally unfit, with the danger of their carrying into the community the diseases or the malignant spirit engendered by unhealthful prison conditions?

There has been in many prisons a vast improvement in the prison buildings. Old, dark, disease-breeding cell houses have been torn down, and new, sanitary, well-ventilated ones have been built up in their stead. The absolute necessity for light and air, has been borne in mind in these new cell houses. The Federal prisons at Leavenworth and Atlanta, now in course of construction, are especially models of up-to-date prison construction.

The men, in years gone by, ate their meals in their cells, carrying back from the distributing point their tin plate and pail filled with an unappetizing pile of food that was chilled before they reached their cells and left in those cells the stale taint that would hang about them to add to the other prison odors and steal away the appetite for future meals. In the past ten years, in a large number of prisons, light commodious dining-halls have been built to which men march three times a day, where they sit down to hot meals, eating them in a good atmosphere. The improvement in the health and working capacity of the men has been very marked in every case where this change has been made.

Work for the men in prison is as any one can see a necessity. A man kept in idleness has before him only degeneracy and madness, but this question of work has been one of the hardest problems of the whole situation. In past years almost all the prisons had the contract-labor system, and under it there were many abuses. The contractor wished to make all the money possible and the men were to him but so many working machines. Men were often given tasks beyond their strength, and were abused and punished if they failed in the required work. They were employed at work which on the outside was performed by women and children and in this way their labor was not only in unfair competition with outside workers but on leaving prison they found themselves without a trade where the state ought to have been equipping them to earn an honest living.

There have always been great objections raised against prison labor because of its competition with the free labor of the outside world and many agitations have been set on foot against it.

So far, the best solution has been the State's Use Law. The men have made in the state workshops furniture, iron beds, mattresses, shoes and clothing for the inmates of not only the prisons but also all other state institutions. Printing presses have been established where the printing has been done for the different state departments, and many other industries have been introduced. In this way men can often learn a good trade and yet they are not overworked and they certainly do not compete with free labor. In the southern states men can work outdoors on the farms and plantations owned by the state, and this of course is a most healthy occupation. Where they have a large negro population such outside work becomes an absolute necessity, for to use the farm negro in a prison factory or workshop would be impossible. He could not live under such conditions. Every prison should have a large farm in connection with it where trusted men could work in the open. It would provide all the fresh vegetables needed, and it would bring new life and health to many of the men besides training them in a field of work where in the future they could always find employment and would not be thwarted by labor unions. It is a fact that these labor unions who fight so desperately for the rights and the welfare of the working-man are as down as anybody else on the working-man and deny him all rights if he has been unfortunate and slipped by the way. They have no use for an ex-convict and yet before he became a convict in many cases he was one of themselves—a working-man, and it was perhaps one of their own strikes that first cast him adrift and led to the drinking and idleness that ended in prison.

Many of our prisons have, and every prison should have, a good library. The men have the evenings and Sundays in their cells, and for many of them it will be the one chance in life to improve their minds by the study of good literature. The workingman returning home weary in the evening from his vocation in life has little enough inclination to sit down and study. The evening hours are the only ones he can give to his family, and in most instances it will be found that he does not go off to the library to seek works that will improve his mind or advance his education, but rests quite content with the newspaper. The man in prison, after his day in the workshops, is shut alone in a narrow little cell. He wants something to distract his thoughts from the weariness and monotony of his daily life and he wants also to get away from the haunting memory of the past. Many a man in prison has awakened to the realiza-

tion that he has been handicapped because of his limited knowledge in the many departments of study in which he might have found interest, diversion and even success. Every chaplain with whom I have conversed on this question has told of the avidity with which the majority of the prisoners read every book within their capacity. Many have taken up difficult subjects and mastered them, and in some instances they have come out of prison with a much broader and more intelligent view of life than would have been possible had it not been for the prison library. I was speaking to one of my boys who was out in the world making an honest living. He was filling the position of night watchman, which meant many wakeful and more or less unoccupied hours. He had been a professional criminal and had started in crime very young, being first arrested at the age of seven and before he changed his career he had been many times in prison. He had never had any of the advantages that belonged to the average child and youth. He was telling me something of his work and experience and added that he so much enjoyed reading in the hours that he could take between the more arduous tasks of his night work. I asked him what he read and he promptly responded that Dickens was his favorite author. The outside world has little idea how much books may mean in elevating the tastes and strengthening the principles of these men in dreary prison walls. I have often thought that those whose special hobby is the endowment of libraries might do well to use part of their wealth in putting this means of self-help into the hands of the eighty thousand men within our prison walls.

There is one phase of a man's imprisonment that should be remembered by all who seek to elevate or humanize the prisoner. He is not a lone specimen of the human family without ties or connections with the outside world. He is a man, in many cases with a man's duties and obligations to helpless children and weak wife or aged mother. When the state takes that man and imprisons him, it has so far chosen to forget these facts and to say in practice to the prisoner: "Your obligations are cancelled. Henceforth you have another duty which must be paramount. You must work for the state. Your wife, your children, your old mother must struggle on the best they can, may become paupers, or criminals, or starve. It is none of our business nor your business from this day until your release." This sounds crude and brutal and, of course, no state has ever thus put the facts into words, but they are none the less true. All over our

great country people are coming to feel that by this attitude the state does a great wrong to the innocent sufferers and also a possible harm to the man himself. The state has imprisoned him presumably to teach him his duty and obligations to society and yet it compels him to violate one of the first and most essential duties—his responsibility to his family. I have for years been trying to bring a plea for these needy ones to the hearts of the thinking and voting people of this country, and I rejoice to see that many others are now advocating a very serious facing of this problem. We feel that no state has the right to profit by the labor of its prisoners while their helpless families are in need and poverty. It may be argued that some of these men did not provide for their families before their imprisonment; that is all the more reason the state should teach them their duty and enforce their fulfilling of such very obvious obligations. Apart from the humane side of the question, it is a poor policy for any state or country to neglect this side of the great criminal problem. It has been proved by some penologists that some of the criminals of today are the children of the criminals of yesterday, and may it not be that this deplorable result has been achieved not by any taint of blood but because the imprisonment of the father left the children to the bitter consequences of neglect and poverty? They were poorly fed, sparsely clothed, left without a father's oversight and abandoned to a struggle for existence during their tender years. Hence they were an easy prey to temptation and in many instances grew up warped in mind and body.

In an article like this it is impossible to really cover the ground and much has to be left unsaid. In closing, however, I must mention that which I feel to be of paramount importance in dealing with the men in prison, in influencing the prisoner and making the future a dream of new promise instead of a nightmare of dread. I refer to the spiritual, the heart side of the question. For fifteen years I have been traveling from prison to prison throughout the country. I have not gone with theories and hobbies of my own but as a messenger taking to broken, weary, dissatisfied hearts the message of hope. I have learned to know these men as my friends. I have had the joy of seeing the sad faces brighten and realizing how truly the despairing can rise to new and better things when the little spark of hope is kindled in the heart. Some twenty thousand men during those years have come straight to us from prison to be helped, guided and started in the new life of honesty which

they sincerely purpose to lead. For this reason I feel I can speak not as a theorist but as one who has had the only experience that counts—the experience with facts, very tangible, living flesh and blood facts in this instance. I believe what I here say can be endorsed by every other worker who has dealt, not with theories and statistics, but with individuals. From these years of experience I have learned many things—I can pass on some of them to the world. I have said we need well lighted prisons, we need good discipline. We must have air, sunlight and exercise. Justice, kindness and humane treatment are absolutely necessary in reforming men. They must have work to do. We can add to this the advisability of giving them good literature, helpful education and bringing to them every outside influence that would elevate and help them. We should save them from the maddening anxiety for the loved ones at home; we should give them, through our parole laws, a chance to work out their own salvation instead of keeping them within the walls for long soul-crushing terms. All these things are good, but there is something more, something without which all else will fail and fall short of success. We must get to the heart of the man. The change must be the quickening to new life; the dead soul must rise to better things; the blind eyes must be opened to the truth; those who have been steeped in vice must learn to love goodness, purity and duty. The maimed and crippled must not be given crutches only, they must be made to walk. If there is to be success in our treatment of our prisoners, there must be regeneration as well as reformation and this I have seen in thousands of cases already. The men within prison are eager and susceptible to a plain practical message bearing to them a new hope and speaking to them of a vital truth. They must be made to feel that they and they alone are able to work out their own salvation. No state law, no prison discipline, no lash of punishment can make a bad man good, a weakling strong; the impure, clean; the crooked, straight. It must be the arousing of the man himself. He must work out his own salvation. Ambition, new desire, higher aspirations must be kindled in his heart. Then, when he has arisen with a longing for better things and has willingly turned his back on the miserable past, we have the right to believe that a higher power will come to aid him and that the same touch that came to the leper in old Jerusalem will make him clean. "God helps the man who helps himself" is an old adage, but it is the underlying truth of all reformation.

Are these men in prison worth the saving? How I wish it were possible for me to call up before my readers the manly, eager faces that I can see as I write, how I wish it were possible for me to introduce you to thousands who have come out and made good, living down the old record and becoming useful, upright members of society! I wish you could look into the face of the one whose history is herein mentioned—a man who for thirteen years has been living a straight, honest, helpful life and has proved himself a cheer and a blessing to all who have known him. Then I wish I could show you the homes made glad and you could see the little children well clothed, the women whose once sad and cheerless lives have been gladdened. Could you see all this you would indeed say with me that it is well worth while.

Within prison walls there is talent—more than the average amount of it—strength, wit, nerve and plenty of courage. It can be sent forth into the world to curse, blight and damage or turned in the right channels, it can be used for good and made of advantage and blessing not only to the men themselves, but to others.

May God hasten the day when all of our prisons have become to every transgressor and law-breaker who enters their walls “stepping stones to higher things,” gateways into a new life of hope and promise.

*Maud G. Booth*

# Editorial

## PRISON SYSTEMS.

(*Indianapolis Star.*)

PROBABLY Indiana has as good prison management as any state in the Union, but there is great room for improvement in our prison system. In view of the fact that men housed up in idleness become insane the world long ago learned to set prisoners to work at some useful occupation. This gave rise to the prison contract system, which has been subject to enormous abuses—and is yet. Prison labor has been and is sold for less than it costs the state to maintain the prisoners, thus bringing prison-made products into ruinous competition with the products of free labor. We have tried to get away from this by making binder twine and a few other things, but the effort has been feeble and the results have been nothing, or worse. The old contract system, hurtful alike to the prisoners and to free labor, goes on.

Another trying question is that of health and sanitation. Go through one of our prisons and you'll find men's complexions like dough, their muscles flabby and their whole physical systems so weakened that they fall easy victims to tuberculosis and other diseases. The cause lies in lack of sunshine, lack of fresh air and nights spent in the cellhouse contaminated by poisonous odors. Sanitary arrangements are said to be as good as is compatible with secure confinement, but to one accustomed to modern bathroom conveniences they are horrible.

Pennsylvania and some other states have sought a betterment of these conditions through the prison farm, where men work in the open air, raising products of the soil to feed themselves and the inmates of other state institutions. Thus far the plan has worked out very well. Others have come to use their prisoners in roadmaking, and find that with proper management of their camps the plan works well. The point is that they work the men in the open air and sunshine, and do not bring their work in competition with free labor.



## THE PRESERVATION OF THE FUR SEALS.

BY WILLIAM SULZER.

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FOR more than a quarter of a century there has been much controversy between the United States and the Powers bordering upon the North Pacific Ocean regarding pelagic sealing. During that period every effort on the part of representatives of this country was made to bring about a treaty to prevent the pursuit, capture or killing of the fur seals upon the high seas. Happily the conclusion of the recent convention will, when carried into effect by the contracting parties, end what has been the scourge of the fur-seal herd. This convention is a signal triumph for American statesmanship and diplomacy, and if it is carried out in the spirit of reciprocal concession and advantage upon which it is based, there is every reason to believe that not only will it result in preserving the fur-seal herds of the North Pacific Ocean, but also that it will afford a permanently satisfactory settlement of a question, the only other solution of which seemed to be the total destruction of the fur seals. In another aspect, also, this convention is of importance in that it furnishes an illustration of the feasibility of securing a general international game law for the protection of other mammals of the sea, the preservation of which is of much importance to all the nations of the world.

After the discovery of Alaska, in 1741, the Russians devoted their efforts exclusively to the hunting of the valuable sea otter and paid little attention to the collection of other furs. By 1775, however, the supply of sea otters had become so depleted that efforts were directed toward securing those less valuable furs which heretofore had not attracted the cupidity of the hunters. Among these were the skins of the fur seal.

The existence of the fur seal was known to the early Russians only through the capture of an occasional animal in the water. The land habitat of the animal was not known.

Inquiries by the Russians among the native Aleuts disclosed the fact that a great migration of these fur seals occurred each Spring, northward through those passes between the islands forming the Aleutian Archipelago, and that an equally great mi-



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Member of Congress from the Tenth District of New York. Was born in Elizabeth, N. J., March 18, 1863; admitted to practice law in New York City at a general term of the supreme court in 1884; was a member of the New York legislature in 1890, 1891, 1892, 1893, and 1894; in 1893 he was speaker of the assembly; was elected to the Fifty-fourth, Fifty-fifth, Fifty-sixth, Fifty-seventh, Fifty-eighth, Fifty-ninth, Sixtieth and Sixty-first Congresses.

1901

gration occurred southward each Fall. From this it was inferred that these fur seals each Spring returned to breed at a place to the northward of the Aleutian Islands, and that they left this breeding ground each Fall to spend their winters in the less rigorous climate of the Pacific Ocean.

As the location of this breeding ground was unknown to the aborigines, the Russians bent their energies to discovering the place to which the fur seals migrated and where, they believed, they could be found in countless numbers.

Vessels to search for this unknown breeding ground were fitted out and various attempts made toward its location. In 1784 the *St. George*, a small sailing vessel, sailed from Unalaska, in command of Gerasim Pribilof, a navigator in the employ of the Lebedof Co., set out into Bering Sea to search for the haunts of the fur seal. It cruised for three weeks in the supposed vicinity of the sea islands without discovering them, but, withal, finding unmistakable evidences of the close proximity of land. At last, in the first days of June, 1786, the mantle of fog that generally surrounds this locality was lifted, and before Pribilof loomed the high coast of the eastern end of the most southern island of the group. The discovery was named *St. George*, after Pribilof's vessel. Finding no safe anchorage there, the explorer ordered all his hunters ashore with a supply of provisions, while he stood away again for the Aleutian Islands to spread such reports as to keep others from following.

The news, however, of Pribilof's discovery of the breeding place of the fur seal was spread among the various companies operating in Alaska, and in 1787, when Pribilof returned to the islands, his ship was followed by others, and the location of the islands became a matter of general information. Various rival companies made settlements at several places on both the islands of *St. Paul* and *St. George*, and as these islands were found to be not inhabited by man they imported native Aleut hunters to perform the work of taking skins.

In 1799, by imperial grant, the Russian American Co. was given the exclusive right to exploit the resources of Alaska in consideration of its bearing all the expenses of administration and protection of the Territory. This company at once expelled all the small traders from the seal islands and retained control of them until the cession of Alaska to the United States in 1867.

The story of the fur seal, from the standpoint of the naturalist, reads like a tragedy and is one of the saddest things in biology. There is no other animal like the fur seals, and no one knows

this better than those who have watched them, studied them, and who know them. Their ruthless slaughter by the pelagic sealers is a tragedy in the annals of animal life.

These fur seals are migratory animals. Their habitat is the North Pacific Ocean. For many years, as I have said, very little was known about them. When Pribilof discovered the islands which bear his name, amphibian life was found there in limitless quantity. The shores of St. George literally swarmed with sea otters which, undisturbed so far by man, could be killed as easily as sheep. Large numbers of walrus inhabited the low beaches. The first hunters to land could not secure a foothold on the beaches because of the teeming animal life and were forced to scale the cliffs in order to reach the high ground beyond. As the summer progressed the fur seals made their appearance by millions. In the first year of discovery, by the few hunters left by Pribilof, over 2,000 sea otters were taken as well as 40,000 sealskins and nearly 15,000 pounds of walrus ivory.

With the return of Pribilof to the islands in 1878 and the arrival of the other vessels which followed in his wake, the killing of seals on land became the chief industry. From 1787 to 1799 as many as six rival companies established stations upon these two small islands, imported native workmen from Unalaska and elsewhere, and vied with each other in securing all the skins they could encourage the natives to deliver to them. In the killing no attention was paid to age or sex, but everything in the way of animal life having a marketable skin was killed. These islands were not then a Government reservation, and no restriction or regulation whatever was placed upon the killing of any animals found thereon. What number of skins was taken by these rival companies prior to 1800 will never be known.

Although in 1799 they were either expelled or consolidated into the Russian-American Company, killing of seals indiscriminately continued in the same ruthless manner. Between 1801 and 1804 the company had accumulated in warehouses several hundred thousand sealskins, most of which spoiled from lack of care in curing. In 1805 such unmistakable evidences of scarcity of seal life were found by a visiting court official that he took it upon himself to stop the slaughter entirely and directed nearly all the native hunters to leave the islands.

In 1808, killing of the seals began again in a more moderate degree. Attempts were made to secure an increase of seals by the provision of seasons in which no killing should be done and

by a limitation upon the catch. These measures, however, were ineffective, and in 1835 the Pribilof herd reached the condition of numbering not more than 250,000. The situation in that year became so alarming that all killing was prohibited except 6,480 nursing pups for natives' food and 100 bachelors, or young males. Also, the vital principle that females should be exempt from slaughter and never disturbed on land, was recognized in 1835 for the first time, and thereafter was enforced, at first partially, and finally rigorously. With these restrictive measures in operation the herd gradually increased, contemporaneously with a gradually increasing killing of surplus young males for skins, until in 1867, the year of the cession, the Russians took 75,000 skins and the seal herd again numbered millions.

The seal is an amphibious animal. It can live beneath the water only a short time; just how long is not proven. Some people say 10 minutes, some 40 minutes, and some people say an hour, but the seal can live beneath the water only a short period of time, when it has to come up to breathe. It sleeps on top of the water, and the pelagic sealers who start after the seal herd from the time it leaves the Pribilof Islands pursue it until the herd returns to the Pribilof Islands. They capture and kill the seals in the water as they sleep or as they are swimming along.

All agree that the scourge of the seal herd is pelagic sealing. There is not a zoölogist, there is not a biologist, there is not a naturalist, there is not a scientist, there is not a friend of the seal herd who has not said over and over again that the great crime against these animals is pelagic sealing. Stop pelagic sealing and the herd will take care of itself and increase rapidly.

Why is pelagic sealing the scourge of the seal herd? When a seal is killed on the high seas the pelagic sealer does not stop to find out whether it is a male or a female, whether it is a bull seal or a cow seal; he pursues and kills the seals regardless of sex; he simply wants to get the skin for the value of the skin. He kills the seal on the high seas, strips off the hide, throws the carcass away, and salts down in the hold of his ship the hide of the seal regardless of sex, and every time the pelagic sealer kills a female seal he really kills three seals—the mother, the embryo seal, and the seal pup on shore which will starve to death. Herein lies the great and cruel crime of the pelagic sealer. The enforcement of the recent treaty will stop that. As a friend of the seal herd, that is what I want to do—stop pelagic sealing.

Upon the cession of Alaska to the United States, the Congress in 1868 declared the Pribilof Islands to be a special Government reservation. In 1870 an act was passed declaring that no unauthorized person should kill seals on these islands, but that the privilege of killing such animals be leased in twenty-year periods to the highest bidder. Under this act, in 1870, a twenty-year lease was granted to the Alaska Commercial Company. In 1890, upon the expiration of the first, another lease was granted to the North American Commercial Company. At the expiration of the lease of the latter company, in 1910, Congress passed a further act abolishing the leasing system and authorizing the Secretary of Commerce and Labor, in his discretion, to kill seals of certain classes and to market the skins of such seals. Under this act, in 1910 and 1911, the Secretary of Commerce and Labor, through his agents and officers, took such skins on the Pribilof Islands as the herd would afford and sold the same in London at auction.

During the period of American occupation the taking of seals progressed under careful Government supervision, and not more than 100,000 skins were allowed by law to be taken in any one year. Furthermore, females were exempted from slaughter at all times; neither could any seal be killed for its skin that was less than one year of age. These provisions were enforced by agents of the Government, under whose supervision the skins were taken.

From 1870 to 1889, both inclusive, the annual take of skins on these islands was 100,000, except that for two years of this period the catch was arbitrarily restricted by the lessee to a smaller number because of an oversupply of these skins on the market. Notwithstanding this careful regulation of killing, however, the annual catch declined, from 1890, when 20,995 skins were taken, until 1911, when the catch comprised only 12,006 skins, due very largely to pelagic sealing.

During the American occupation this pernicious practice of pelagic sealing grew up, which previously had been unknown. This practice was called pelagic sealing, or the killing of seals in the water, as opposed to the land killing on the islands. It began as a business in 1881 or 1882, with an annual catch of about 10,000 skins, and reached its height in 1894, when over 61,000 skins were taken from the Alaskan herd. Thereafter the annual pelagic catch declined because of scarcity of seals. In 1911 it was about 12,700.

The seals killed by the pelagic sealers are taken by means of

spears or shotguns. In the water no differentiation can be made with respect to age or sex, whereas the land killing, which can be carefully controlled, is composed only of surplus males, of which, owing to the polygamous habits of the seal, at least twenty-nine thirtieths are not required as breeders. The skins taken in the sea have been demonstrated to be composed of from 50 to 85 per cent. of females.

The early pelagic sealers were exclusively Americans and Canadians. Soon becoming aware of the destructiveness of the practice to seal life, this Government took active measures to protect that seal life, which, breeding on American territory, was asserted to be the property of this Government wherever found. Assuming that Russia had a right of property by discovery in all the eastern portion of Bering Sea, and that those rights were transferred to this Government by the treaty of cession, the war vessels of the United States seized all schooners in Bering Sea engaged in pelagic sealing they could apprehend, whether American or Canadian, and confiscated them with their cargo, apparel, and furniture. This seizing of Canadian schooners led to the convention of the tribunal of arbitration in 1891.

The award of this tribunal, rendered in 1893, disallowed all claim of this Government to exclusive jurisdiction in Bering Sea, and held that the seizure of vessels under this claim of jurisdiction was unwarranted. The tribunal, however, promulgated regulations, which, without forbidding the practice of pelagic sealing, were designed to afford protection to the fur seals during the breeding season. They required that all sealing in Pacific waters, north of  $35^{\circ}$  of north latitude and east of the one hundred and eightieth meridian of east longitude, should cease on April 30 of each year; that when it was again resumed in August it should be carried on in Bering Sea only with spears and outside of a zone of 60 miles radius about the Pribilof Islands.

After the promulgation of this award, pelagic sealing was begun again by both American and Canadians. It required but a few months to demonstrate that the Paris award regulations were ineffective in providing that protection to the seal herd necessary to preserve it from gradual extinction. The employment of expert spearmen in the Bering Sea made the spear even a more deadly weapon than the shotgun, while the sixty-mile zone about the islands afforded little or no protection, as the seals while feeding usually traveled three times that distance from the islands.



This Government at once strove to re-open the question with Great Britain with a view to obtaining greater protection for the seals, and as an earnest of our good faith, in 1897, passed an act forbidding pelagic sealing on the part of our own citizens. These efforts, however, were without results until the ratification of the present treaty.

Strangely enough, while the pelagic fleet of Canada became smaller that of Japan increased. These latter vessels, not being bound by the Paris award, could take seals whenever and wherever they pleased outside of territorial waters. In 1911 no Canadian schooners were known to have operated, while the Japanese fleet numbered at least thirty, and took approximately 12,700 skins, as opposed to a land catch on the Pribilof Islands of 12,006.

It has already been mentioned that the Russians, in their land killing from 1786 to 1835, killed both sexes indiscriminately, male and female, young and old alike. It is not possible to ascertain the whole number of seals killed during these years, but it is stated that between the years 1801-1805 over a million were taken. The killing, previous to that probably was as rigorous. The meager Russian records show that several millions of sealskins were taken on these islands prior to 1805, and that they were taken from males and females indiscriminately. The practice of killing females for skins on land without restriction obtained until 1835, and was never completely abolished, it is believed, until 1847.

Furthermore, not by any means all the seals killed at sea are recovered, as many of them, being shot, sink and are lost before the hunters can reach them. The statistics obtained by this Government from an expert examination of thousands of skins taken in the sea demonstrate that of those taken in the North Pacific Ocean from fifty to sixty per cent. are pregnant females, while of those killed in Bering Sea from seventy-five to eighty-five per cent. are pregnant females, each of which also has a nursing pup.

It is a recognized fact that any given class of polygamous animals will decrease rapidly if a system of slaughter is maintained which operates directly upon the females of the species. Such killing tends at once to decrease the birth of new animals, from which the numbers of the herd must be maintained. Whenever the number of animals killed becomes greater than the natural increment through births, the species must decrease. The fact that large numbers of female seals were killed an-

nually by the Russians through a series of many years points inevitably to the cause of the seal herd's decrease during that period. The killing of large numbers of female seals annually through pelagic sealing during the American occupation indicates the same cause of the decline in numbers of seal life in recent years.

It is reasonable to conclude, therefore, that the decrease in both Russian and American occupations was due to a like cause, namely, the excessive killing of female seals.

It is now confidently asserted that, with a complete cessation of seal killing in the open ocean, and the consequent immunizing from slaughter of the breeding females, the Pribilof seal herd will rapidly increase in numbers. It can be cited in confirmation of this belief that following the year 1835, when the Russians first recognized the principle of non-interference with the females, the Pribilof herd gradually increased during a period of 35 years to several millions in 1867. It is significant to note that this increase occurred contemporaneously with an annual land killing of surplus males of from 6,580 in 1835 to 75,000 in 1867. Also the fur seals on Robben Island, in the Okhotsk Sea, after having been virtually wiped out by raiders in 1855, had by 1869 reestablished themselves in their original numbers.

There are people who want pelagic sealing to continue. It is a very profitable industry. The men engaged in pelagic sealing make hundreds of thousands of dollars every year, and the longer the matter can be put off the better for the pelagic sealers. But the duty of Congress now is to stop pelagic sealing; and the way to stop pelagic sealing is to carry out in good faith this splendid treaty which reflects so much credit on the State Department and the Department of Commerce and Labor; and when we do that, we will do more to protect and preserve the fur-seal herd than anything else that can be devised by the ingenuity of man.

We must recognize the fact that this country can not deal with the herd at sea as its own property, and that the coöperation of Great Britain, Russia and Japan in the manner provided for in the Fur Seal Treaty is essential for the protection of the herd against pelagic sealing.

These countries have been induced, after difficult and protracted negotiations, to agree to abandon pelagic sealing on condition that they shall receive a compensating interest in the skins taken by us on land. If, however, the interest which they derive in this way does not prove to be of more value to them than

the profits to be gained by pelagic sealing, it is not likely that they will be willing to continue the treaty beyond the fifteen-year period. It is certainly true that if during the fifteen-year period they receive less than they regard as their fair share of the increase of the herd, they will be inclined to make up the difference by resuming pelagic sealing, which, presumably, at the end of fifteen years will be immensely profitable on account of the increase in the size of our herd.

One of the chief arguments which this Government relied upon throughout the past twenty-five years covered by the fur-seal controversy to induce Great Britain, and more recently Japan, to abandon pelagic sealing has been that pelagic sealing was chiefly responsible for the destruction of the fur-seal herd. It will be particularly unfortunate if we lose the opportunity which is now presented for the first time by virtue of this treaty, to demonstrate by actual experience the soundness of this argument. It is a serious question, however, whether this can fairly be tested, if land killing and pelagic sealing are both prohibited at the same time. The overwhelming testimony of the Government officials and many eminent scientists is to the contrary.



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# Editorial

## FIGHT TO SAVE THE FUR SEAL.

*(New York Times.)*

EFFORTS are being made in the lower house of Congress to "save the faces" of Secretary Nagel and his subordinates, Commissioner Bowers and W. I. Lembkey, by continuing indefinitely their unfettered authority to slaughter fur seals on the Pribilof Islands. But friends of the fur seal industry propose to amend the Sulzer bill by the insertion of a clause providing a ten-year close season for the recuperation of the decimated herds. It is quite certain that, by the end of this period, the seals would be ready to yield to the United States an annual net revenue of a million dollars or more.

The effort to deprive Secretary Nagel of the power to continue the slaughter of "small" and "extra-small pup" seals, as he has been doing, is being resisted by the "experts" of the so-called advisory board on the fur seals. In the December issue of "The National Geographic Magazine," Deputy Fish Commissioner Hugh M. Smith shows the sentiment of the Fisheries Bureau by this declaration:

By act of Congress of April 21, 1910, the renewal of the lease of the sealing privileges was made optional with the Secretary of Commerce and Labor.

It is not strange that the real friends of the fur seal openly assert that the species is not safe in the hands of the Fisheries Bureau. The Sixty-first Congress and the President took particular pains, at the behest of the Camp-Fire Club of America, to kill the odious leasing system of seal slaughter.

From California Dr. David S. Jordan has sent a telegram to Mr. Sulzer asserting that Henry W. Elliott has for twenty years "led" the "pelagic sealers' lobby" at Washington. Now, it happens that Mr. Elliott's position regarding the fur seal never was stronger, or more correct, than it is today. Dr. Jordan's reckless assertion, nowhere more widely recognizable as baseless than in Congress, will probably aid the cause of the fur seal.

The contention is set up also by the experts, Drs. Jordan, Lucas, and Townsend, that if the seals have a long close season, such as the Russians provided under compulsion of circumstances in 1834, the surplus bulls would slaughter the females and tram-

ple the pups to death, wholesale. It seems strange that these scientific gentlemen should so easily forget the teachings of Darwin; but it will be much more strange if such novel and fanciful theories, based on nothing whatever in the domain of observed facts, should deceive the House of Representatives.

The fur seals greatly need a ten-year close season. They need immediate protection from the pup killers of the Bureau of Fisheries, and we hope that it will be accorded in the amendment to the Sulzer bill.

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**SAMUEL RUSSELL**

is an alumnus of the University of Virginia, and the author of the "Impolicy of the Proposed Income Tax Amendment," etc.

## POPULAR ELECTION OF SENATORS UNDER THE FEDERAL CONSTITUTION.

BY SAMUEL RUSSELL.

THE wave of superficial populism that has been running riot over the land has finally broken upon the Constitution of the United States. Not content with experimental legislation, the reformers would now change the foundation upon which the structure of the government has been builded, and upon which our civil institutions must rest for stability and perpetuity. The Federal and republican principles of the Constitution are especially attacked.

Expressing this contempt for the Constitution, a Senator of the United States recently said:

"For decades we have directed our efforts toward improving the shingles of the roof of our national superstructure without realizing that the foundation is absolutely rotten, because its cementation is one of selfishness instead of general welfare." (Senator Jonathan Bourne of Oregon, in 72 Central Law Journal, 354—May, 1911.)

Another bold advocate of reform recently said that the framers of the Constitution "put up a job" on three million hungry and weary people.

"We have had a very mockery of self-government. The fathers worked out this Constitution in secret session. They were not elected to draw up one at all, but only to amend the articles of confederation. The Constitution was drawn up for the benefit of property owners. It had taken eight years for three million people to drive out a handful of British soldiers, and then when their stomachs were empty and the spirit of Independence was low, they accepted this Constitution and we've been fighting the money power ever since." (Francis J. Heney, before a joint committee of the Legislature of California, February 3, 1911.)

How consonant all this is with the declarations of those who are seeking to introduce the doctrines of exotic proletarianism into our country, is shown by the following:

"The close of the Revolutionary War, however, found the new American bourgeoisie in full possession of the field and ready to develop their power. \* \* \* A government was needed to carry out the demands of this class and the form of the Confederation was too unwieldy and of too little value to be really effectual. In place of the loose agglomeration of the communities, which existed under the Articles of Confederation, a federal Constitution was necessary to the interests of the budding capi-



talism. \* \* \* The upshot of the Constitutional Convention was that a document was formed which had the result that all who possessed estates, who were engaged in traffic, or held any of the final settlement and depreciation certificates, felt safe. The final result was a complete and unmistakable triumph for the merchants and financiers." (American Proletarian, p. 79—1910.)

The agitator is a blind guide. Obsessed by a single idea he forthwith expands the same into a system for universal application. He can not see different principles in their proper political relation in the structure of government. There is a plenitude of democrats in these times who declaim about the rule of the people, but few who exhibit that statesmanship which is rather concerned with the establishment of justice, the security of the public peace, the promotion of the general welfare and the perpetuation of the blessings of liberty to all the people and as a heritage to posterity.

The controversy respecting the election of United States Senators by the people involves two principles which should be adjusted and should receive equal weight in the settlement of this question. The right of election by the people is an inherent principle of republican institutions. The right of the States to elect their Senators is a principle essential to the Federal character of the United States Senate and to the dignity and equality of the States in the Federal system.

The advocates of the *republican* principle have ignored the *Federal* principle and this has accounted for the recurring postponement of an adjustment of this controversy. The delay has been exasperating to the proponents of the amendment to the Constitution. While the question has been passed upon by partisan platform committees, it has not been settled in the political forum created by organic law for the determination as to whether or not the proposed amendment shall be submitted. What shall be done to compel Congress to act? A writer in the North American Review has made this quixotic suggestion:

"The form of remedy for compelling Congress to act would seem clearly to be a writ of mandamus. It is believed that such a proceeding could be instituted by any citizen. \* \* \* It would be necessary to commence this action in the courts of the District of Columbia. \* \* \* From the decision there an appeal can be taken to the Supreme Court of the United States." (A Convention to Amend the Constitution.—Why needed.—How it may be obtained.—By Walter K. Tuller, North American Review, March, 1911.)

It would be a truly fatuous proceeding for a district court of the United States to issue its mandate to Congress. It

would hardly be necessary for Congress to impeach the judge or abolish the court in order to avoid such an impotent process. It is sought to predicate this proposition upon the case of *Marbury vs. Madison*, 1 Cranch, 137; but a sufficient answer to such speculation is the language of Chief Justice Marshall in *Cherokee Nation vs. Georgia*, 5 Peters, 1:

"But the court is asked to do more than decide on the title. The bill requires us to control the legislature of Georgia, and to restrain the exertion of its physical force. The propriety of such an interposition by the court may be well questioned. It savors too much of the exercise of political power to be within the proper province of the judicial department."

In *Kentucky v. Dennison*, 24 Howard, 66, the Supreme Court, in an opinion by Chief Justice Taney, refused to issue a mandamus to the Governor of Ohio to honor the requisition of the Governor of Kentucky for the return to Kentucky of a fugitive from that State who had been guilty of enticing a slave to leave her master, although the Governor of Ohio had declined to perform a duty plainly imposed by the Constitution.

The independence of Congress of the Judiciary is thus stated by Thomas Jefferson, writing from Monticello, September 28th, 1820:

"If the legislature fails to pass laws for a census, for paying the judges and other officers of the government, for establishing a militia, for naturalization as prescribed by the Constitution, or if they fail to meet in Congress, the judges can not issue their mandamus to them; if the President fails to supply the place of a judge, to appoint other civil or military officers, to issue requisite commissions, the judges can not force him."

The question as to whether or not a proposed amendment to the Constitution shall be submitted to the States, is one of policy for Congress to decide:

"Article V. The Congress, whenever two thirds of both Houses deem it necessary, shall propose Amendments to this Constitution; \* \* \* provided that no State without its consent shall be deprived of its equal suffrage in the Senate."

The right of amendment is thus limited by the proviso that no State without its consent shall by any amendment be deprived of its equal suffrage in the Senate. What is meant by State is a body politic exercising independent functions of government, a constituent unit of the United States of America and having equal suffrage with the other members of the Union in the Federal Senate. This suffrage is not vested in the people inhabiting the State, but rather in the State as an independent political corporation. An amendment which vests the election of Senators directly in the people divests the States,

as such, of their suffrage in the Federal Senate and would appear to be invalid as against any State not expressly consenting thereto.

The proposed amendment which was left in conference at the last session of Congress is open to this objection. The text is as follows:

"The Senate of the United States shall be composed of two Senators from each State, elected by the people thereof for six years and each Senator shall have one vote. The electors in each State shall have the qualifications requisite for electors of the most numerous branch of the State Legislature."

The legal and political effect of such an amendment is thus aptly stated by Henry Cabot Lodge, Senator from Massachusetts:

"Reduced to its simplest form, an amendment providing for the choice of Senators by direct, popular election is merely a proposition to convert the Senate into a second House of Representatives with two Congressmen at large from each State who are to be called Senators and who are to hold office for six years."

This attempted assimilation of the Senate to a second House of Representatives having a direct popular constituency is clearly manifested by a comparison of the text of the proposed amendment with the provisions of the Constitution which relate to election of Representatives in Congress:

"Article I, Section 2. The House of Representatives shall be composed of members chosen every second year by the people of the several States and the electors in each State shall have the qualifications requisite for electors of the most numerous branch of the State Legislature."

Under the old Constitution the House of Representatives is a national body and the Senate a Federal body. The nationalization of the Senate will effectively destroy the Federal character of the United States, against the admonitions of the founders of the independence and political constitution of our country.

Before the imminence of such a consummation it would be well for the American people to pause and reflect on the words of Abraham Lincoln. Writing to Josephus Hewett from Washington, February 13th, 1848, he said:

"I was once of your opinion expressed in your letter, that presidential electors should be dispensed with, but a more thorough knowledge of the causes that first introduced them has made me doubt. The causes are briefly these: The convention that framed the Constitution had this difficulty: the small States wished to so form the new government as that they might be equal to the large ones, regardless of the inequality of population; the large ones insisted on equality in proportion to population. They compromised it by basing the House of Representatives

on population, and the Senate on States, regardless of population, and the execution of both principles by electors in each State, equal in number to her Senators and Representatives. Now throw away the machinery of electors and this compromise is broken up and the whole yielded to the principle of the larger States."

In a constituent assembly directly representative of the people the only equitable manner to apportion representation among territorial districts is to make it in proportion to an enumeration of the people respectively inhabiting the same. This rule of apportionment is applied to the House of Representatives by the Constitution:

"Article I, Section 3. Representatives and direct Taxes shall be apportioned among the several States which may be included within this Union according to their respective Numbers. \* \* \* The actual enumeration shall be made within three Years after the first Meeting of the Congress of the United States, and within every subsequent Term of ten Years, in such Manner as They shall by Law direct. \* \* \*"

Now in a Senate directly representative of the people it would be a manifest inequality to invest eighty-one thousand people inhabiting Nevada with the right to elect two senators and to invest the ninety-one hundred thousand people inhabiting New York with the right to elect but two senators. The disparity of such an apportionment as among the people inhabiting the several states is exemplified by the return of the population of the following States as made by the Federal census of 1910:

South Carolina .....	1,500,000	Wyoming .....	145,000
Kentucky .....	2,200,000	Delaware .....	202,000
Georgia .....	2,600,000	Arizona .....	204,000
Missouri .....	3,200,000	Idaho .....	325,000
Massachusetts .....	3,300,000	Vermont .....	355,000
Ohio .....	4,700,000	New Hampshire .....	430,000
Illinois .....	5,600,000	Rhode Island .....	542,000
Pennsylvania .....	7,600,000	Florida .....	750,000

Already it has been proposed by some of those who would reform the fundamental law that there be one Senator for each million of population, and this will be an inevitable step, if once the right to suffrage in the Senate is transferred from the States to the people.

The Continental Congress which declared the independence of the American States was truly a Congress of States. This Congress formulated the Articles of Confederation and Perpetual Union between the States. The Federal Senate had its genesis in this Congress of equal states.

Under these articles, the Congress was constituted as follows:

"Article V. For the more convenient management of the general interests of the United States, delegates shall be annually *appointed in such manner as the legislature of each State shall direct to meet in Congress.* \* \* \* In determining questions in the United States in Congress assembled, each State shall have one vote."

Delegates to this Congress were uniformly elected by the several state legislatures but it will be observed that the States were to appoint the delegates in such manner as their several legislatures should direct, under which provision the legislatures had the power to direct an election by electors from among the people of their respective states.

The Articles of Confederation of 1777 were succeeded by the Constitution prepared under the direction of Congress by the Convention of 1787. The provisions of the Articles relative to the election of delegates to the Congress were embodied in the new Constitution with reference to the selection of electors for the President of the United States. The language of the Constitution upon this point follows :

"Article II, Section 2. Each State shall *appoint in such Manner as the Legislature thereof may direct*, a Number of Electors, equal to the whole Number of Senators and Representatives to which the State may be entitled in the Congress.\* \* \*"

In all the states at the present time the people select the presidential electors and under the custom which has grown up effectively cast the votes of their respective states for President and Vice-President. This elective franchise in the people, however, is not derived from the Constitution but has its source in an Act of the Legislature in each separate state. Indeed for many years in the earlier period of our Constitutional history, presidential electors were appointed by the legislatures. This practice obtained in South Carolina as late as the presidential election of 1860. As shown by the actual operation of the electoral machinery there can be no question of the right of the legislature in each state to directly appoint the electors or to direct an election by the people or by electors from among the people, as the legislature may, in its political discretion, by law determine. And it is necessary that it should be thus in order to secure the representation of the States as such in the Electoral College.

Now with respect to the representation of the States in the Federal Senate, however desirable it may be that the senators be elected by the people it would be fatal to the federal character of the Senate and to the equality and dignity of the states therein, if the Constitution should be so amended as to

vest the right of election directly in the people. It is true that this right of popular election is an essential principle of republican government. The executive of each state, though formerly in Virginia and other states elected by the legislature, is now elected by the people, yet if the Constitution of the United States should prescribe that the executive authority in each state should be vested in a governor who should be elected by the people thereof, the states by such act would be subordinated to provinces of a national government.

At the time the Constitution was formulated it was the custom in the States for the several legislatures to appoint the delegates to the Congress. However, as noted above, it was the right of each legislature to determine for itself whether it would appoint delegates to Congress or direct an election by the people. It is not to be assumed in view of both the law and the fact with respect to this practice, that the framers of the Constitution intended to give the State legislatures any less power with respect to the election of senators than with respect to the appointment of presidential electors, at least there is no political or other essential reason why they should have done so. The essential thing was to have vested the right of election in each State to be exercised by its legislature or by such electors as it should designate. The provisions of the Constitution were not intended as limitations upon the power of the State legislatures to determine the manner of electing Senators. The question of the election of Senators by the people is emphatically a question of State policy, and it is absolutely essential to the federal character of the Senate and the equal suffrage of the States therein, that if there be election of the senators by the people it shall be by independent direction of the legislatures in the separate states.

The question arises as to the power of the State legislatures over this subject, particularly as to any constitutional limitations against a legislative reference of the election to the general electors of the State. The provisions of the Federal Constitution which relate to the election of Senators are as follows:

"Article I, Section 3. The Senate of the United States shall be composed of two Senators from each State, chosen by the Legislature thereof for six years and each Senator shall have one vote.

"Articles I, Section 4. *The Times, Places and Manner of holding Elections for Senators and Representatives shall be prescribed in each State by the Legislature thereof, but the Congress may at any time by Law make or alter such Regulations except as to the Places of choosing Senators.*

"Article I, Section 5. Each House shall be the Judge of the Elections, Returns and Qualifications of its own Members."

It will be noted that the Constitution gives the States as such equal suffrage in the Senate; there are two senators from each State; that the legislature of each State shall choose the senators and prescribe the time, places and manner of holding elections. The Senate is made the judge of the election returns and qualifications of the Senators. Questions relating to the construction of these clauses are questions of political administration for the Senate to determine, they are not questions of law or equity which by possibility may be brought to the Supreme Court for adjudication.

Now, it would be indeed difficult to distinguish between the legal extent of legislative power to appoint presidential electors in such manner as the legislature may direct and the legislative power to choose senators and to prescribe the times, places and manner of electing senators in a particular state. Of course it may be answered that the legislative function of choosing senators may not be delegated, that the power and duty is in law non-delegable, which as a principle applies particularly to legislative powers, but a reference by the legislature of questions respecting the enactment of statutes, or the decision of other political questions, to the general electors of the state has never been regarded as a delegation of legislative power. Such a reference is quite the same as the act of an agent in referring a doubtful point to his principal for determination. The people are not the creature of the legislature, the legislature is rather a creature of the people, constituted by them to be the organ of their collective will. If a legislature of a particular State may direct a popular election of presidential electors, why may not it direct a popular election of the Senators? Indeed it is politically more important that the power of a State to designate the electors of its senators be if anything less subject to limitation than its power to designate its representatives in the electoral college, for the Senate is constituted upon the suffrage of equal states whereas the electoral college is rather founded upon a combination of both popular and State equality.

Now if a State legislature should pass an act directing that the Senator from such State be chosen by the general electors of the State as provided by law and should direct that the governor certify the act and the returns of the election to the Senate as and for the credentials of the Senator from such state,

could it be said in advance that the Senate, as the judge of the returns and election of its members, would refuse to accord to these credentials the effect intended by the legislature having the right to elect the Senator? It may be admitted that to refer the election to the people would require what may be denominated a somewhat forced construction of these clauses of the Constitution, but such a construction certainly does not violate any sound legal or political principle, nor deprive any State or any person of any political right, or of any liberty or property recognized by the bill of rights or within the protection of the Constitution. If a State desires to proceed in this mode, and it is a fair conclusion that most of the States do, it is a matter quite wholly between that particular State and the Senate. Neither the Senate nor Congress may require the States to provide for popular election of Senators, but if a State or a number of States, by their legislatures, desire to provide for popular election, the Senate has only to let them do so and the way is open to an effectual *modus operandi* to accomplish the desired result by action in the separate states and with full recognition of the right of the States as such to their suffrage in the Federal Senate; and this without amendment of the Constitution or doing violence to any of its essential principles. And then really the only party concerned is the State, and certainly it would be precluded by its own act from any complaint. The State is concerned as to the manner of electing its Senators, particularly as to what electors shall choose them, the Senate and Congress are rather concerned only that the Senators be elected at stated times. The legislative powers of Congress and of the States are adequate to bring about this result with full protection to the privileges and rights of all parties concerned. The provisions of the Constitution on this as on other points have been so delicately adjusted, that they are not susceptible of amendment without disturbing the balance of such provisions. Even if an amendment should expressly provide that the Senate should be composed of two Senators from each State chosen in such manner as the legislature thereof shall direct, there is the present clause which already provides that the manner of holding elections of Senators shall be prescribed in each State by the legislature thereof, and the presence of these two clauses would open a field for unprofitable discussion and uncertainty.

The argument against a legislative direction for the election



of Senators by popular electors is thus stated by George Sutherland, Senator from Utah:

"I have read with great interest the argument in favor of the power to bring about this reform without the necessity of an amendment to the Constitution. You put the matter with much force and plausibility but I do not find myself able to agree with you. \* \* \* As I understand it, the legislature in performing this function is not the agent of the people of the State but is the agent of the people of the United States who framed the Constitution. \* \* \* It seems to me that the argument fails in not recognizing that in this particular matter, the principal is not the people of the State, but the people of the United States."

Of course this comes right back to the old controversy as to whether the Constitution was formed by the States or by the people; however that may be, certainly the State legislatures are the agents of the people of the States, and do not derive their powers from the Constitution of the United States, nor from the people of the United States. The Constitution recognizes the right of the State to representation in the Senate. Vacancies occurring in that body during the recess of the legislature may be filled by appointment of the executive of the State until the next meeting of the legislature. Vacancies occurring in the House of Representatives may not be filled by appointment of the governor or legislature, but only by election of the people in whom the right is vested. The people may not delegate this power, but the State may choose Senators by its legislature and in certain contingencies this power is shifted to the executive of the State; and there is no express prohibition of the power of the legislature to direct an election by the people who have constituted the legislature to exercise the political functions of the State which the people have erected. Such a direction or reference does not in any true sense constitute a delegation of power.

Now, if Congress is really converted to the election of United States Senators by popular electors, why should not the Act of July 5, 1866, regulating the election of Senators, be repealed and thus leave the separate States to the exercise of their full Constitutional power to direct the election of the Senators in such manner as the legislature of each State may provide? This would be in full accord with the policy proposed by Alexander Hamilton in the draft prepared for the ratification of the Federal Constitution by the Convention of New York in 1788:

"Congress ought not to interpose in the regulation of the times, places and manner of holding elections for Senators and Representatives, except only in such cases in which the Legis-

latures of the respective States or any of them may neglect, refuse or be unable to make provision, or for the purpose of appointing a uniform time for the election of Representatives." (Works of Alexander Hamilton, Vol. II, page 79, Federal Edition.)

The Senate at the present may not be resolved to put such a construction upon these clauses of the Constitution, but some day there may be a Senate which will take this view, and then a precedent would settle this question for all time. Whether the separate legislatures may or may not direct an election by the people, it is a simple matter for any legislature to take the advice of the popular electors as to the choice of the State for its Senators. This is analogous to a chancellor taking the advice of a jury on a question of fact. The right of the people to elect would be recognized, and the right of the State as a body politic to its suffrage in the Senate would be formally retained in the act of ratification by the legislature of the popular choice. Each State would be free to adapt these measures to the necessities of its local political conditions. Such an advisory note is now had in Nevada and some other States, and it affords all the requisites of a popular election. In the same manner a State legislature could take the advice of the people as to their choice for President of the United States; then having ascertained this choice, the legislature could appoint Presidential Electors with a mandatory instruction to vote for the person designated by the popular vote. This would simplify the operations of the electoral college and yet preserve the representation of the States therein as contemplated by the Constitution.

The corruption of political institutions is no cure for bad political morals. Popular elections in our municipalities most directly under the observation of the people have been more pregnant with fraud than the election of Senators by legislatures exercising delegated powers. Many of the people have not yet learned to judiciously exercise the function of electors, to the exclusion of that partisan passion and prejudice which, played upon by skillful manipulators, becomes quite as effective an instrument to impair the freedom of elections as other more obvious means. A partisan plebiscite in Wisconsin vitiated by the use of money is not less immoral than a legislative election in Illinois by votes bought with money.

The heedless agitation for the amendment of the Constitution

is not directed to any wholesome political end. The problems which confront the American people may all be solved without a rejection of the fundamental work of the federal convention of 1787. These problems may be better solved by those who know the limitations of the power and political principles to be applied in legislative remedies. It would be well for the American people to consider the words of Jefferson:

"We are all republicans, we are federalists. \* \* \* Let us then with courage and confidence pursue our own federal and republican principles, our attachment to our Union, and representative government."

"The party called republican is steadily for the support of the present Constitution. They obtained at its commencement all the amendments they desired."

And again the words of Lincoln, Jefferson's greatest disciple, who did his full share to perpetuate the Union of the American States and the Federal and republican principles of the Constitution. In the course of an address in the House of Representatives at Washington, June 28th, 1848, Lincoln said:

"I wish now to submit a few remarks on the general proposition of amending the Constitution. As a general rule I think we would much better let it alone. No slight occasion should tempt us to touch it. Better not take the first step which may lead to a habit of altering it. Better, rather, habituate ourselves to think of it as unalterable. It can scarcely be made better than it is. New provisions would introduce new difficulties, and thus create and increase appetite for further change. No, Sir, let it stand as it is. New hands have never touched it. The men who made it have done their work and have passed away. Who shall improve on what they did?"

The Constitution is not to be sustained merely because of veneration for the fathers of the republic, but also because of the inherent wisdom of their organic work. It will not add to the security of our civil institutions to break down the foundation upon which the structure of the Union has been builded. The energy so assiduously directed to a reformation of the fundamental law would better be exerted to restore our frequent elections to their proper function in the purification of our representative government.

A handwritten signature in cursive script, reading "Daniel Russell". The signature is written in dark ink and is positioned below the main body of text.

# Editorial

## DIRECT ELECTION OF SENATORS.

(*Birmingham Age-Herald.*)

THE resolution submitting a constitutional amendment looking to the direct election of senators was tied up in the extra session because the two bodies could not agree upon a possible control of the federal government over such elections. The Bristow amendment was the splitting point, although if adopted it would be but a paper provision.

The best men in both parties desire to see senators elected by direct vote. It is considered the deepest and most thorough going reform that the times have brought out. It means a better Senate. It means a Senate in touch with the people instead of the interests.

In this presidential year the question involved should be forced to a result. Surely an amendment can be framed that both sides will accept. The side issue of federal control is unimportant either way it is looked at. What is needed is a proposition that the states can act on and that will, when ratified, give the country senators elected by popular vote instead of senators springing from a dickering legislative caucus oftentimes controlled by a boss, controlled in turn by some powerful interest.

## THE BOGEY OF THE "PATENT MONOPOLY."

BY GILBERT H. MONTAGUE.

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THE national hysteria over trusts has never been better illustrated than in the unreasoning criticism directed against the United States Supreme Court for its determination of the rights of patent owners in the recently decided Dick case.

The opinion in which the majority concurred, that stands as the opinion of the Supreme Court in the Dick case, was written by Justice Lurton, who probably has tried more important patent cases than any American judge now living. With him concurred Justice Holmes, Justice Van Devanter, whose experience in patent law while Circuit Judge was very thorough, and Justice McKenna, who four years ago wrote the opinion of the Supreme Court in the most important patent case of recent years—the Paper Patent Bag Case—with which opinion Chief Justice White, then an Associate Justice, entirely concurred. President Taft, when a Circuit Judge, sat with Judge Lurton and repeatedly concurred in Judge Lurton's opinion in patent matters. The majority opinion simply states the law as established by an unbroken line of previous decisions in the United States, in Great Britain and in every English-speaking jurisdiction. With these decisions, Chief Justice White and Judge Taft, as their entire judicial records show, have heretofore been in absolute agreement.

The Dick Company owned patents covering a mimeograph. It sold to a certain Miss Skou a mimeograph, embodying the invention covered by these patents, subject, however, to a license, printed and attached to the machine and reading as follows:

### LICENSE RESTRICTION.

This machine is sold by the A. B. Dick Company with the license restriction that it may be used only with the stencil paper, ink and other supplies made by A. B. Dick Company, Chicago, U. S. A.

The Henry firm sold to Miss Skou some ink suitable for use upon this machine, with knowledge of this license restriction under which Miss Skou had bought the machine, and with the expectation that the ink would be used with this mimeograph. The question presented to the Court was:



GILBERT H. MONTAGUE

Was born in Springfield, Mass., May 27, 1880, and graduated from Harvard 1901. After admission to the Bar he became legal secretary to Justice Blanchard of the Supreme Court of New York. Special Deputy Attorney for Prosecution of Election frauds. Author of "The Rise and Progress of the Standard Oil," and "Trusts of Today."



"Did the acts of the Henry firm constitute contributory infringement of the Dick Company's patents?"

The Supreme Court decided that these acts constituted contributory infringement.

Under Article I, Section 8, Subdivision 8 of the Federal Constitution, Congress has power "to promote the progress of science and useful arts by securing, for limited times, to authors and inventors, the exclusive right to their respective writings and discoveries."

Accordingly, Section 4884 of the Revised Statutes has been enacted, providing that a patent owner shall have "the exclusive right to make, use and vend the invention or discovery." This "exclusive right" is in effect three "exclusive rights," i. e., the "exclusive right" to make, the "exclusive right" to use and the "exclusive right" to sell the patented article.

The patent owner may, according as he sees fit, dispose of one, or more, or any part of these component "exclusive rights." Thus, when he elects to manufacture the patented article himself, he reserves to himself the "exclusive right" to make, and disposes simply of all or part of the "exclusive rights" to use and to sell the patented article. Again, if he elects not to sell the patented article, but simply to lease it on a royalty basis, he reserves to himself the "exclusive rights" to make and to sell, and disposes simply of the right of use. Similarly, if he elects to dispose of only part of the "exclusive right" to use the patented article, he may reserve to himself the "exclusive rights" to make and to sell the patented article, and part of the "exclusive right" of use, and may dispose of simply a portion of his "exclusive right" of use, by granting merely a limited right of use,—simply, for instance, the right to use the patented article only under such conditions and only with such supplies as the patent owner shall prescribe.

Like the owner of unimproved real estate, the patent owner may decline to use his invention, or to allow others to use it. Like a real estate owner who prefers to continue as owner, the patent owner may reserve to himself the right of ownership and sale, and, by lease or otherwise, simply dispose of part of the right to use the property. Like every real estate owner who is a landlord, the patent owner may require that his property be used only under certain specified conditions, and for certain specified purposes, and with certain specified accessories.

The rights of the patent owner are neither greater nor more unusual than the familiar rights of the real estate owners or other property owners. Indeed, the patent owner's rights are



vastly curtailed, as contrasted with the rights of other property owners, in that the owners of every other form of property may exercise the rights above described for so long a period as they and their successors may desire, while the patent owner may exercise none of his rights beyond the duration of his patent, and at the expiration of the statutory period of seventeen years must relinquish to the public all of his rights.

The patentee may sell or dispose of the patented article on condition that the purchaser use only such accessories as are made by the patentee, provided that at the time the patentee sells the patented article to the purchaser "the purchaser must have notice that he buys with only a qualified right of use."

The public is free to take or refuse the patented article on the terms imposed. If the terms are too onerous, the public loses nothing, for it may decline to buy or use the patented article; and when the patent expires the public will be free to use the invention without compensation or restriction.

In affirming these propositions, the Supreme Court stated plain, common business sense, and also long settled principles of law, in reliance upon which enormous business interests have been established.

Chief Justice White in his dissenting opinion declares that the Dick decision tends "to extend the patent so as to cause it to embrace things which it does not include," and permits the patent owner "to extend his patent rights so as to bring within the claim of his patent interests which are not embraced therein, thus virtually legislating by causing the patent laws to cover subjects to which without the exercise of the right of contract they could not reach." The Supreme Court, in the majority opinion, completely answers Chief Justice White's contention. The Court says:

"Anyone will be as free to make, sell and use like articles as they would be without this restriction, save in one particular—namely, they may not be sold to a user of one of the patentee's machines with intent that they shall be used in violation of the license. To that extent competition in the sale of such articles, for use with the machine, will be affected; for sale to such users for infringing purposes will constitute contributory infringement. But the same consequence results from the sale of any article to one who purposes to associate it with other articles to infringe a patent, when such purpose is known to the seller. . . . If a patentee says, 'I may suppress my patent if I will. I may make and have made devices under my patent, but I will neither sell nor permit anyone to use the patented things,' he is within his right and none can complain. But if he says, 'I will sell with the right to use only with other things proper for using with the machines, and I will sell at the actual cost

of the machines to me, provided you will agree to use only such articles as are made by me in connection therewith,' if he chooses to take his profit in this way, instead of taking it by a higher price for the machine, has he exceeded his exclusive right to make, sell and use his patented machines? The market for the sale of such articles to the users of his machine, which, by such a condition, he takes to himself, was a market which he alone created by the making and selling of a new invention. Had he kept his invention to himself, no ink could have been sold by others for use upon machines embodying that invention. By selling it subject to the restriction he took nothing from others and in no wise restricted their legitimate market."

The all-important circumstance which Chief Justice White overlooks is that no license restriction is enforceable, under the law as laid down by the Supreme Court, unless the restriction is "*brought home to the person acquiring the article,*" *at the time the article is acquired.* To make a license restriction enforceable, "the purchaser must have notice that he buys with only a qualified right of use." The notion, engendered by Chief Justice White's dissenting opinion, that Henry would have been held as an infringer if Miss Skou, or any other user of the Dick mimeograph, had bought Henry's ink at a corner drug store, has absolutely no foundation in fact. The infringement in the Dick case, the Supreme Court expressly held, consisted in the fact that Henry, knowing of the license restriction, and with the expectation and intention that his ink would be used for the purpose of violating this license restriction, incited Miss Skou, intentionally and deliberately, to violate the license restriction—to which Miss Skou, as Henry well knew, had expressly assented when she acquired the mimeograph—and supplied Miss Skou with the means of accomplishing this wrongful act. Indeed, the court below expressly found that Henry deliberately and knowingly instigated Miss Skou to this wrongful act, and even instructed her that if she would pour Henry's ink into Dick's can and throw away Henry's can, she would not be caught violating the license restriction.

The bogey of "monopoly" in non-patented articles has many times been dispelled by the courts.

In 1896, in a decision of the Circuit Court of Appeals for the 6th Circuit, in which Judge Lurton, now associate Justice of the Supreme Court, who wrote for the Supreme Court the majority opinion in the Dick case, and Judge Taft, now President of the United States, both participated and concurred, the bugbear of monopoly in respect to non-patented supplies required by license restrictions, like those above described, was effectually exploded. The Court showed that this so-called monopoly, far

from offending against public policy, was a positive benefit, for the patent owner could accomplish this result only if he could "make and sell an unpatentable product cheaper than any other competitor"; and "the great consuming public would be benefited rather than injured," for this so-called monopoly could endure only so long as the product turned out with the patented invention and these supplies was "supplied at a less price than had prevailed before the invention."

To suggest that such a system tends to create a monopoly in non-patented supplies is absurd.

When a man invents a new machine, it frequently requires more inventive ability to build up a market for it than it does to make the invention. In many cases, if the machine were to be sold outright, the price would have to be fixed so high as to discourage buyers. Some system of royalty charge must be devised, based on the output and efficiency of the machine. In the case of many machines, a royalty of the usual form would entail prohibitive expense in accounting, bookkeeping and collection charges. To insure a convenient measure of the output and use of the machine, and to collect with the minimum of expense the royalty so determined, the patent owner must require that the users of his machine purchase from the patent owner or from his nominee the supplies which furnish this measure, and must charge for such supplies a sum sufficient to cover the cost of the supplies, and also an additional sum in the nature of a royalty for the use of the machine.

Under this arrangement, the patent owner in fact obtains a royalty, infinitesimal in amount, for each item of the output produced by the patented article. When the value of each item of output is so small that the expense of an accounting would be prohibitive, there is no other means of ascertaining royalty based upon the output. By this plan the money burden upon the user is distributed over a period sufficient to enable him to derive, from the use of the machine, the means of paying the patent owner.

If the patent owner chooses to take his profit in this way, instead of charging a higher price for his patented article, no one is harmed. Granted that he take to himself a portion of the market for such non-patented supplies. The portion of the market that he so takes is simply the portion that he alone created, by making and selling his own invention. Obviously, had he not made and sold his invention, no one could sell supplies for use in connection with it. By requiring that his own non-patented

supplies be used with his own patented invention, the patent owner is taking nothing which in the absence of his patented invention would belong to other manufacturers of such supplies.

The satisfactory operation of the patented article may, and in many cases does, entirely depend upon its use with specially prepared supplies, or in continuity with other specially adapted machines, or in some particular manner.

An electrical appliance, adapted for use with a particular kind of battery, might be very effective when so used,—in which case its usefulness to the licensee would be considerable, and its commercial value to the patent owner would be correspondingly gratifying,—while if used with another kind of battery, it must be ineffective,—in which case its usefulness to the licensee would be slight and its commercial value to the patent owner would be disappointing. A license requiring that the appliance be used only with the battery specially adapted to it guarantees the highest degree of usefulness to the user, and assures to the patent owner the commercial value of the patented article to which he is justly entitled.

A patented machine, used in manufacture, may be contrived, with great nicety, to take the partly finished product as it leaves another machine, and to continue the process of manufacture for another stage from that point, and then to turn it over to another machine which continues the manufacture from that point. This particular machine, it is obvious, must be accurately adjusted, so as to supplement precisely the work done by the machine that immediately precedes it in the manufacturing process, and to match exactly the requirements of the machine that will immediately take up the work at the point where it leaves off. The satisfactory operation of the particular machine in question may, and in actual instances frequently does, entirely depend upon the nicety, accuracy and precision with which it is adapted to the machine that immediately precedes it, and to the machine that immediately follows it in the manufacturing process. Unless the machine that precedes it is accurately adapted to bring the half-finished product into just the condition necessary for satisfactory operation upon the particular machine in question, the operation of the latter machine will be unsatisfactory; and the results to the user and to the owner of the patents covering that particular machine will be correspondingly disastrous. Similarly, unless the machine that immediately follows in the manufacturing process is precisely adapted to take the half-finished product in just the condition that it leaves the particular machine, it will

inadequately supplement the work that has previously been done, and will wholly or in part prevent the successful result to which the satisfactory operation of this particular machine has fully contributed.

Instances of ingenious and delicate machines, each nicely adapted to perform one stage of a manufacturing process and together, as an industrial series, nicely, accurately and precisely adjusted to take the raw materials through the successive stages in the process of manufacture until the finished product is eventually turned out, may be found in many highly developed manufacturing industries.

As to any patented article of the class of particular types of machines just described, it is obviously proper that the patent owner, in order to insure satisfactory results to the user, and to preserve for himself such commercial value as accrues from the assured satisfactory operation of his machine, may require that the machine be used only with such specially adapted machines, and in such particular manner as will insure satisfactory results to the user.

The notion that the patent owner owes the duty to the community of allowing every user of the patented article to experiment with any supplies that the user can find, or to use, in any manner that the user can think of, a patented machine that has been delicately contrived for just one particular use, has no support whatsoever in law or in reason.

Patent owners have an interest in the standing, reputation and commercial desirability of their patented articles, and may insist upon such conditions, in respect to their use by their customers, as shall insure to the customers, no less than to the patent owners and to all prospective customers, the standing, reputation and commercial desirability of the patented article.

To suggest that the user of the patented article has some kind of natural right to experiment, as much as he likes, with unauthorized supplies and with forbidden methods of use, is as ridiculous as to suggest that a tenant has a God-given right to use his landlord's premises in any manner that violates the express conditions of the lease.

The only reward to those who bear the burden of perfecting the inventions which make possible the progress of the race is the protection afforded by the patent system. The Constitution provides that the inventors who develop their inventions at their own risk and by their own labor and expenditure shall "for limited times" have the "exclusive right" to their own creations.

By restricting this "limited time" to seventeen years, Congress has removed the possibility of oppressive monopoly.

Any proposal to abridge the reward for invention involves the welfare and very existence of the entire community. During the present century, the new fields which invention can open must necessarily be fewer than those opened by the brilliant series of pioneer inventions in the century just past. Future inventions will require greater effort and, consequently, rewards which shall certainly be no less than those afforded by the laws and decisions that compose the present patent system. On every hand it is conceded that the efficiency of human institutions must be increased in order to cope with the increasing difficulties of existence. The most important agency for this purpose is invention as fostered by the present patent system. Nothing could be more reckless than to cripple at this time the chief force engaged in solving the problems of civilization.

For the future of American industries, and the welfare of the entire country, it is hoped that a correct understanding of the tremendous importance of the present patent system may cure the disrespect of patent rights implied in the hostile comment directed against the recent decision of the Supreme Court and implied in the changes of the patent law proposed by Congress.

*Gilbert H. Montague*

# Editorial

## THE RIGHTS OF A PATENTEE.

*(New York Times.)*

IN the Dick case the Supreme Court decides that a patentee may lawfully prescribe the conditions under which his patented devices shall be sold and used. The device before the court was a mimeograph, the purchaser of which was required to use only such ink, paper, stencils, and supplies as the company which manufactured the mimeograph machines furnished. The suit arose out of the use by the purchaser of another ink, and this, the court says in an opinion written by Justice Lurton and concurred in by Justices McKenna, Holmes and Van Devanter, constituted an infringement of the patentee's right. . . .

An amendment of the law doing away with the patentee's right to prescribe conditions of use might easily do grave injustice. It can readily be understood that if a patentee has perfected certain supplies which have been carefully fashioned for use by his machinery, he might be apprehensive that the use of other supplies would make his machine do bad work, and thus render them unsalable. His interest in the sale of his machines is protected by the patent, but that interest might be rendered worthless by taking away from him the right to say how the machine should be used. Like most questions of right and of law involving a variety of interests and considerations, the argument is not all upon one side.

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**JAMES H. FRINK**

Mayor of St. John, New Brunswick, is a descendant of an old New York family, who espoused the Loyalist cause. He has been engaged in municipal politics in his province for a number of years.

## BALLOT MARKING IN GREAT BRITAIN AND DOMINION OF CANADA.

BY JAMES H. FRINK.

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AN article which appeared in the September, 1911, number of THE EDITORIAL REVIEW, written by Artemus Ward, Jr., entitled "Marking the Ballot by Means of a Stamp," setting forth the weakness of the present system of marking by placing a X against the name of the candidate desired, has evoked considerable interest beyond the boundaries of the United States. Elaborate laws and regulations regarding Parliamentary Elections in Great Britain and Canada conclusively prove that citizens who are called upon to determine by the ballot what manner of men shall conduct the affairs of Government can not perform this simple act without being surrounded with restrictions almost as rigid as the Criminal Code itself. A careful survey and analysis of the Election Law—and slight dissimilarity exists between those of the Mother Country and the Dominion—indicates clearly that the few governing principles are capable of successful attack, and notwithstanding the fact that legal ingenuity has been stretched to the uttermost to make the position impregnable, there appears to be a number of men who have a link or two to spare in the outwitting process at the trysting place on Election Day, and who incite an angered people to clamor for amendment to the Election Law in order to prevent a repetition of such scandalous acts. The few principles in common may be thus defined: That any male British subject having attained the age of twenty-one years shall have the right to vote, if on the register, except those prohibited by Statute. That no one, without incurring a penalty, shall bribe, promise or reward the voter, shall not feast him, nor disorder his brain with strong drink, shall not intimidate or threaten, but that he shall be permitted to go to the poll as an absolutely free agent, without molestation, calm, conscientious and serene. That the voter must have at all hazards the right and privilege of voting secretly and in the utmost privacy, and to insure this he is guarded by officers of the Crown sworn to their duty. That he shall have a ballot paper issued by the King's Printer, and upon this he is to mark his

intent by the placing of a X opposite the name of the candidate he desires, and having so marked it place it in the ballot box. This simple duty, plain as it is, is so often marred in the performance that a more efficient method is sought, whereby doubt may be dispelled and security given to the voter and the candidate, that not only the act but the intent of the voter may be attached to this piece of ballot paper beyond peradventure.

In passing I may say that the Municipal system of balloting in St. John, N. B., has been in operation since 1889, is extremely simple and has so far failed to induce a conflict or official recount of ballots cast. The only instruction issued to the voter is to make the mark by pencil or ink, blue, brown, or black, through the name of the candidate undesired.

In our present system of Federal and Provincial elections the ballots are marked with a X and in closely contested elections courts are constituted with all legal machinery in full anticipation of results, giving the contestant ample opportunity to spend his money, and to take defeat or victory as the presiding judge or officer may decide whether a X be a X. However, as the judges, appointed by the Governor in Council, are disqualified as voters, are men of acknowledged ability, their office being practically one of life tenure and the salary attached placing them beyond the reach of want, their decisions are accepted, with rare exceptions, as honorable and without prejudice.

The system proposed by Mr. Ward of marking the ballot by means of a stamp within a well-defined area, appears quite simple, and while the smudging of the mark made by the instrument would make it less presentable, the first impress of the metal die would probably not be obscured. At the same time the voter, not being content with one impression might, to make sure that he had "killed his man," mark both within and without the circle. It will be generally admitted that the first impulse of an inexperienced voter upon entering the booth is to put something or do something against the name of the candidate who is politically obnoxious to him. As a matter of fact, many men have told the writer, knowing full well how they intend to vote, that they had become confused in a concealed polling booth, and were it not for shame's sake, would have come out for instructions from the Returning Officer. There is little doubt that many men who have cheered lustily for their victorious candidate would have been less enthusiastic if their individual ballots could be presented to them for scrutiny, for on many occasions, as proved by the ballot, a voter has placed an X against the

name of two candidates when only one was to be elected, thus spoiling his ballot.

By the system adopted in the Municipality of St. John, N. B., comprising about 12,000 votes, the voter has an opportunity to act on his first impulse of doing something against the candidate he desires to defeat by running a mark through his name. If he wishes to be particularly vicious he can run the pencil or pen, or piece of burnt stick, a dozen times through the name without destroying the ballot. For simplicity and effectiveness this method of marking the ballot is unexcelled, except perhaps in British University elections where candidates are elected to the House of Commons by show of hands, and any one who has attempted to count heads or hands on a division in large assemblies will admit the extreme difficulty of such a system.

The Federal elections held in the Dominion in September last produced the usual number of cases in the Election Courts resulting from the system of the X mark, and this form of litigation bids fair to continue as long as that system obtains.

The legal decisions quoted by Mr. Ward are interesting. The conclusions and decisions given by the judges of Great Britain in cases of election appeals, recounts, spoiled ballots, etc., appear to be on broader lines than the rulings of the United States courts.

The cases usually cited in courts in Canada are those of Woodward vs. Sarsons, the famous election trial case in England, and the Canadian case, Jenkins vs. Brecken, and the decisions given are accepted as authoritative and mandatory. It is there laid down what ballots may be considered as good or as bad. In Woodward vs. Sarsons the following methods of marking were held good, in the absence of evidence of connivance or prearrangement:

- (a) Two or three crosses instead of one.
- (b) A straight vertical line instead of a cross.
- (c) A straight stroke instead of a cross.
- (d) The letter "P" in addition to a cross.
- (e) An oblique line instead of a cross.
- (f) A star instead of a cross.
- (g) A pencil line drawn through the name of one candidate and a cross opposite that of another.
- (h) The cross placed on the left instead of the right-hand side of the candidate's name.

In the case of Jenkins vs. Brecken the following markings were held valid:

In ballot papers containing the names of four candidates, the ballots mentioned below were held valid:

(1) Ballots containing two crosses—one on the line above the first name, and one on the line above the second name. Valid for the two first named candidates.

(2) Ballots containing two crosses—one on the line above the first name, and one on the line dividing the second and third compartments. Valid for the first named candidate.

(3) Ballots containing properly marked crosses in two of the compartments of the ballot paper, with a slight lead pencil stroke in another compartment.

(4) Ballots marked in the proper compartments, thus  $\vee$

The following ballots were held invalid:

(1) Ballots with a cross in the right place on the back of the ballot paper, instead of on the printed side.

(2) Ballots marked with an  $\times$  instead of an  $\times$ .

In these famous cases the only ballots declared invalid were those initialed or written upon by the voter, except the two above mentioned. One would think from these rulings of high legal authorities in Great Britain and Canada that it would be practically impossible to have spoiled or rejected ballots; not so, however, for human ignorance and stupidity can wander even beyond these wide limits, as election recounts from time to time amply show.

In 1876 a select Committee of the British House of Commons, appointed to inquire into the working of the Ballot Act, reported that, in their opinion, no ballot should be rejected unless it appeared clearly to the Returning Officer that the obligatory portion of the Act had not been complied with, and that the marking of the ballot paper in a manner not in accordance with the directions should not cause its rejection unless it appeared to the Returning Officer that such a departure from the directions had been for the purpose of identification.

Extensive inquiries made in the most prominent municipalities of Canada demonstrate the fact that balloting by marking a cross after the name of the desired candidate seldom causes trouble.

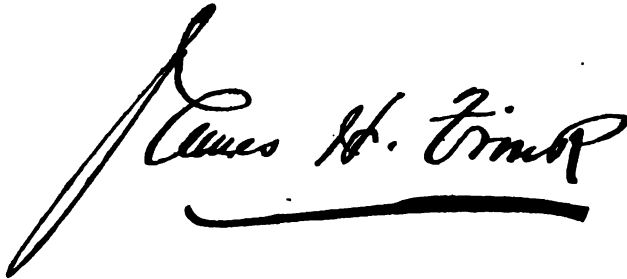
In the City of Ottawa, the Capital of Canada, a ballot is prepared in various colors and opposite the name of the candidate a pure white circle three-quarters of an inch in diameter stands out in strong relief from the colored border, within which circle the voter marks with a cross. The results of this method have been very satisfactory.

One is forced to the conclusion that the municipal voter usually possesses a higher degree of intelligence than the Federal voter, possibly by reason of qualification on real estate, per-

sonal property, or income. \* No qualification of this kind is required in Federal elections.

The fact that in municipal elections the ballot is not secret, although it may be made so, gives an opportunity to the astute and energetic "ward-heeler," to mark the ballot for many of the illiterate class before they go to the poll, thus enabling the voter to feel that his entire duty is fulfilled when he answers to his name and occupation on the roster, and drops the paper in the box.

The article submitted by Mr. Ward is a timely one, and the method of marking the ballot by means of a stamp, as advocated by him, is worthy of more than passing notice. My object in writing this article is to present a case along similar lines, the method in marking the ballot being equally simple, free from difficulties and confusion, a marked departure from the method of cross marking in English-speaking countries, a method fruitful in causing litigation and in many cases a successful wrecker of political destinies.

A handwritten signature in cursive script, reading "James H. Fisher". The signature is written in dark ink on a white background. The first letter "J" is large and stylized, with a long, sweeping underline that extends across the width of the signature.

# Prevailing Stage Salaries.

By ROBERT GRAU

**EDITOR'S NOTE:**—This is the third of the Grau series of articles on musical and dramatic topics. Mr. Grau is well known in the amusement world, having been connected managerially and professionally with Grand Opera, theatrical productions and vaudeville entertainments. He is a brother of the late Maurice Grau, the world-famous impresario of the Metropolitan Opera House, New York City, and is author of several works on operatic and theatrical matters that are recognized as authoritative.

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WITH the advance of years, conditions have changed in the theatrical, as well as in other professional and commercial fields. About a decade ago David Warfield was doing a single "turn" at Keith's Union Square Theatre at a weekly honorarium of \$75; Louis Mann was accorded about the same time \$100; Victor Moore a few years ago, supported by a well known actress, appeared in a sketch entitled "Change Your Act" for \$125 weekly; Rose Stahl about five years ago experienced much difficulty in getting an opening for a one-act playlet out of which her present great starring reputation arose. Not one of these players would today be refused ten times the amount they then received; Warfield indeed has repeatedly refused forty times as much. These are but illustrations of the vast increase which has come in the last decade to hundreds of others. Lillian Russell had a salary of \$3,000 a week in vaudeville, when she entered that field, but it is not so long ago that she was playing small parts and chorus bits for Tony Pastor at less than \$25 a week. Vesta Victoria, who obtains easily \$2,000 a week, if not more, came here many a time for \$150 a week when she was quite as good as she is now; Vesta Tilly, who commands about the same as Vesta Victoria, was only a few years ago elated at the prospect of obtaining from Tony Pastor \$350 a week. May and Flo Irwin, a quarter of a century ago, were the best sister team in the variety field; their weekly salary running from \$150 to \$200 a week, yet when May Irwin a year ago returned to the modern vaudeville stage in a single specialty, \$2,500 was the figure willingly paid. Marie Dressler, a few years since, was identified with cheap opera at a salary which did not require three figures to express it. At pres-

ent four figures would denote the lowest amount in her pay envelope on salary day. Lew Dockstader, while in vaudeville, never had over \$350 a week, now he is offered repeatedly, and is refusing, \$2,000 a week; George Evans earned in the 90's \$125 a week; about one-tenth the sum he can have today for the asking. The four Cohans, including George, his sister, Josephine, and his father and mother, were for years available at a salary of \$200, though their last appearance together in vaudeville took place at the Masonic Temple Roof Garden in Chicago at the remarkable sum of \$3,000 for one week.

In opera, the contrast is not quite so great, yet Ernestine Schumann-Heink, when she came here first to the Metropolitan Opera House under Maurice Grau, received about \$250 a week; for some years past she has had no difficulty in earning \$5,000 a week. Emma Calvé gets perhaps less today than a decade ago, when she was granted \$1,750 a night. Emma Eames earns \$1,000 a night, about double what was accorded her at her American Grand Opera début. When Jean and Edouard De Reszke came they received \$1,750 and \$600, respectively, per night, and Jean commanded the remarkable sum of \$2,400 a night before he retired. Melba receives \$2,000 a night, about twice as much as at her first season at the Metropolitan. Lillian Nordica is heard nowadays more in concert than in opera, but she never receives less than \$1,000 a night. Tetrzzini only a few years ago was singing in a hall not far removed from a beer garden at San Francisco at a salary of \$300 a night. In 1910 Mr. Hammerstein paid her five times that sum. Today Tetrzzini gets \$3,000 a night. Caruso came here originally on a contract inherited from the Maurice Grau régime, which gave his services to the Metropolitan at \$1,000 a night, but his honorarium has climbed yearly, until he is the highest salaried male singer in the world, and is considered even at this as the cheapest artist to an impresario in the field of opera. This is in the same sense as Colonel Mapleson's point of view, when he often remarked that Adelina Patti even at \$4,000 a night was much cheaper than any of her rivals at \$500.

One must marvel as to what compensation would in these days be meted out to a specialty comedian such as was the late J. W. Kelly, who at the height of his career received \$300 a week, when Harry Lauder not only obtained \$3,500 a week, but William Morris finds at the end of the week that this artist must be reckoned at a basis of \$5,000 a week, before any other item on the weekly pay roll before or behind the curtain can be liquidated.



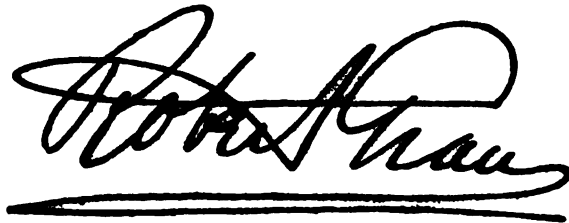
There are few indeed at this time who recall that a generation ago there were several artists who were able to hold sway for one hour and even longer by the sheer potency of their individual personality. Henry Clay Barnabee, long before he became "the grand old man of comic opera," presented an entertainment, called "A Night With Barnabee," which from any point of view was equal to the remarkable performance of the clever Scot. And who that has been under the spell of Sol Smith Russell, in the days when he barnstormed with the Berger family of Swiss bell-ringers, will assert that either Barnabee or Russell ever, in all their careers as individual entertainers, earned in a month what Lauder does today in a week? Then there was William Horace Lingard, who was a veritable "King of Protean Stars," and as a box-office-magnet quite as powerful as Lauder is now, yet Lingard, together with his beautiful and accomplished wife, Alice Dunning Lingard, never had more than one-tenth (jointly) of Lauder's phenomenal salary.

Now we turn to the mimics. Cecilia Loftus began playing here at \$600 a week. The writer speaks by the card when he states that he made with Mr. Proctor a contract by which that plunging magnate paid her no less than \$2,000 for one week in New York, and she has often had very nearly as much elsewhere for her mimicry "turn," yet strange, or, rather, shall we say *not* strange to state, when she would appear in a playlet with a salary list of perhaps \$500 a week on her hands and many other expenses, she could not receive anything like the salary paid for her imitations. How different it was in the days when Nat C. Goodwin was a mimic, and a far greater one than any of the so-called imitators of today. Goodwin was so far superior to the type of "George Cohan imitators" now prevailing in musical comedies, that the mere memory of his artistic efforts (though over three decades ago) is fresh enough to make one rebel at the methods in use today, as compared with the Goodwin era. It was rarely indeed that the latter portrayed a fellow player for over a moment, as compared with the long scenes and even entire acts that are today virtually copied for no other purpose than to "connect on a good thing." It was, however, left to Joseph M. Weber to reach a "climax" on this "mimicry" proposition, when he practically reproduced "The Merry Widow," and had not Mr. Savage remonstrated vigorously, the limit of this impertinent method would not even then have been reached. Tim Murphy was another real mimic and an honest one, as well as an artist to his finger tips. He would portray a dozen celebrities in as many

moments, and then would paint their portraits in even less time between the impersonations; yet he was glad to obtain \$125 a week for his efforts, while Goodwin's highest salary was \$350.

The writer can hear our present-day vaudevillers crying out that the managers receive much more today from their public. This is true, but nevertheless a memory of what such artists really represented, is refreshing. It will also be argued that "two performances daily" would never have been tolerated by the stars of long ago, but in America Sarah Bernhardt appeared in from seven to twelve performances a week for Henry E. Abbey, interpreting a repertoire which would tax the strength of a Hercules, and for this she received on her first visit less than Lillian Russell did for singing three songs in a vaudeville theatre. John McCullough, not so many years before he died, was granted \$35 a week at the Theatre Royal in Montreal under Ben De Bar's management. Edwin Booth never had more than \$500 a night, when under salary, and he was the greatest box office attraction of all time.

The purpose of this article is not to decry prevailing salaries, but merely to convey in some degree a knowledge of the progress which has obtained in this age of theatrical achievement, and that, after all, "the player has been well bestowed."



## Contemporary Journalism

**¶** In this department of The Editorial Review we publish each month the history and growth of a newspaper of prominence. In this number we sketch the successful career of The Des Moines Daily Capital. **¶** We also reprint here carefully selected editorials on the vital questions of the day, in which public opinion is reflected and presented unbiassedly in the most forceful and telling manner. To the individual reader it would be an almost impossible task to cull these editorials, for it involves the perusal of thousands of newspapers. Through its trained staff, however, The Editorial Review is able to present this compendious résumé of the best, keenest and most up-to-date contemporary opinion, as set forth in the leading newspapers, the value of which for future reference can not be overestimated.

### THE DES MOINES DAILY CAPITAL.

IN thirty-one years *The Des Moines Daily Capital* has increased from a small weekly, with practically no considerable circulation, to the most widely circulated daily in the State of Iowa. The journal had its inception in the year 1880, when it was issued as *The Weekly Iowa Capital*; three years later, on September 1, 1883, it was first published as a daily newspaper, and it is today one of the few in the United States that are owned by private, as distinct from corporate, capital.

*The Weekly Iowa Capital* was founded and first edited by L. E. Lewelling and A. C. Newton. On January 1, 1881, Mr. Newton sold his interest to H. F. Arnolds, formerly of the *Kellog Post*, and H. B. Williams of New Sharon. Mr. Lewelling, a little later, sold his interest to the Rev. Asa Sleeth, who in turn transferred his holdings to a Mr. Kaufman; a transfer was made shortly afterwards to W. H. Fleming, and the firm became known as Arnolds, Williams & Fleming. They planned and edited the first edition of *The Capital* as a daily; it was a seven-column, four-page sheet; Major Fleming was editor-in-chief; Mr. Williams, business manager; and Mr. Arnolds, foreman.

From time to time, until the paper passed into the hands of Lafayette Young, its present owner and publisher, its career was

a somewhat checkered one; the daily did not prosper and, indeed, lost money. In 1884 it was bought by J. H. Duffus, and J. R. Sage was appointed editor. Later the property was sold to W. C. Kougle, but he was unable to make it a success and in 1885 proceedings in bankruptcy were begun. In that year D. H. Kooker bought the plant, by order of the court, and associated with himself Frank Mason and Lafe Harter. The two latter severed connection a little later and Mr. Kooker was left alone to make a living out of a practically defunct newspaper. He triumphed over many difficulties and each year showed gain in business, until in 1889 the paper was on a paying basis, whereupon he decided to retire, relinquishing it for the organizing of a bank. *The Daily Capital* then passed into the hands of Lafayette Young, a former State Senator, and for twenty years editor of *The Telegraph* at Atlantic, Iowa.

The first issue under Mr. Young's editorship appeared on March 31, 1890. The political policy of the paper, which had been all along truly conservative in its character, was maintained, but the name was changed to *The Des Moines Capital*. Mr. Young has continued as owner and editor for twenty-one years, and has seen the journal, after many vicissitudes, attain a marked success. It is printed in one of the most finely equipped offices in the Middle West, and it has become well known, not only locally but also throughout the country, as fighting for what it regards as principles and policies that make for the betterment of the community, and as always loyal to true Republican doctrines. It stands for the best interests of its readers and has become a recognized institution in Des Moines, urging and fostering local and national movements for the redress of grievances and the righting of wrongs. It has consistently endeavored to serve the people and to promote everything tending to increase their happiness as a whole, and to the moral and healthful uplift of the city in which the newspaper is published, and in the life of which it forms a notable part.

The policy of the paper has always been of a constructive rather than a destructive nature and its constant aim has been to render some public service to the community. News that tended to injure the city, its industries or its people has always been minimized to as large an extent as possible, while that which has a tendency to build up and strengthen has been featured and given prominence. However, in carrying out this policy it has never deprived its readers of the real situation by suppressing news but has handled it in optimistic instead of pessimistic manner.

When the movement for a Greater Des Moines was set afoot several years ago *The Capital* was the first paper to enlist and much of the nation-wide advertising that this city has received in the last five years has been the outcome of a progressive spirit, created largely by the constructive and business-like policy of this paper.

The Des Moines plan of commission government which has since come to be recognized as the best form in two hundred American cities was advocated fearlessly by *The Capital*, although to favor its adoption meant to incur the ill-will of the city political machine and the "bosses" who had ruled under the old ward and council system. That the paper was justified in its belief four years ago that the commission plan would make Des Moines a better governed city is borne out by the actual results. The city has more money, fewer debts and it has made more improvements, with taxation less in that period than in any ten years under the old rule. Now the general opinion is that the city will permanently retain the commission plan, and *The Capital* has been active in the use of its columns to assist the new government.

The latest accomplishment of public service was the probe last fall by *The Capital* into county affairs. For years the county supervisors had spent the \$1,000,000 a year with a lavish and unchecked hand and political jobs and contracts had been let to pay political favors. No point of suspicion had ever rested against the county supervisors, except in a general way, when *The Capital* went into its crusade for more efficiency in county government. The deeper the probe went the more complicated the situation became, with the result that political strings of every variety were used to endeavor to stop the investigation. But *The Capital* was not to be "bought off" or threatened and the crusade continued, with the result that the entire complexion of the county board of supervisors was changed in less than six months.

*The Capital* likewise conducted a crusade against the school board and pleaded for more efficiency in the government of the schools and more careful expenditure of funds. Its fight in the school board case as well as that of the county was not against the men—it was against the system. Its crusade was free from bias and prejudice, fair and impartial. Its constant aim was to get at the cause of the trouble and render a public service by securing lower taxation and more efficiency. The result has been that useless officers have been abolished and the board has endeavored to give the public improved service.

Not only has *The Capital* fought for a Greater Des Moines but likewise for a "Greater Iowa." Its cardinal policies have been to secure better roads and rural schools, just taxation, more business and less politics, better farming and prices for farm products, more corn per acre, increase in population, and numerous other reforms too numerous to mention here.

Iowa, unlike its eastern sisters, has no permanent roads to speak of, so it remained for *The Capital* to point out and prove conclusively that a dirt road can be made a good road. It realized in the beginning of its fight for better roads that it would be useless to preach road dragging—that some concrete result was needed; so it conceived the idea of a River-to-River road in order to prove its contentions. The fact that this road today is the official route for many transcontinental tours and has been the route of the Glidden tour is sufficient proof of its success.

When the legislature took up the revision of the tax on moneys and credits last winter to eliminate a system of double taxation, *The Capital* was behind the fight and succeeded in securing a more equitable taxation. Every proposal that would help the farmers and that would increase Iowa's prosperity has been fostered and this Spring it has devoted much space urging the necessity of testing seed corn, sending its own correspondents on lecture trains into every county in the state. It has taken part in the campaign for more scientific farming, the improvement of rural schools, better dairying and improved stock raising. It has supported the agricultural courses and farmers' institutes in every way possible and has recently offered a large sum of money in cash prizes to boys in the ninety-nine counties of the state who shall raise the largest crop of corn per acre.

The paper has always been consistent in its politics. It belongs to the straight Republican ranks, and is a supporter of President Taft, although it fought the Canadian Reciprocity Treaty because it believed that it would not be beneficial to Iowa. The publisher of *The Capital*, who is now a candidate for the United States Senate, has kept it free from "self-boosting," and has not used the journal as his own political organ for furthering his own interests. To use his own expression, he would forego the fight to gain admission to the United States Senate if in order to secure that position there was any possibility of injuring *The Capital*.

*The Capital* has always stood for right, truth, justice and progress.

## THE TAFT LEAD.

(*Des Moines Capital.*)

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It is still the Taft lead in the race for the Republican presidential nomination and the more the situation is analyzed the more invincible does that leadership seem to become.

The tumult and the shouting over the Illinois and Pennsylvania outcome has largely subsided as it is found that local rather than national considerations had chief weight in those two commonwealths and especially when comparisons are made with certain interesting facts in the political history of four years ago.

How many of the anti-Taft shouters have paused recently to recall that Taft was nominated in the National Convention of 1908 without the aid of either Illinois, Pennsylvania or New York?

Illinois gave the bulk of its vote to Hon. Joseph G. Cannon.

Pennsylvania cast her vote for Hon. P. C. Knox.

New York's delegation was for Hon. Charles E. Hughes.

In the face of this mighty division of voting strength among several of the leading states of the nation Taft was nominated on the first ballot after which the other delegations made a grand scramble for the Ohio favorite son band-wagon.

What is the situation today?

In the Chicago Convention to be held on the 18th day of next June 539 votes will be necessary to nominate.

With the 10 votes instructed for the President in the Connecticut State Convention Taft now has 363 votes. He therefore needs just 176 more votes with which to win the renomination prize.

To date Mr. Roosevelt has 173 delegates.

To state the case in another way—Taft must capture 176 delegates while Roosevelt is hustling for 366 delegates.

Among the states yet to hold conventions are Massachusetts, Rhode Island, New Jersey, New Hampshire, West Virginia, the President's own state of Ohio, and several western states which are very sure to give him a part if not all of their delegations.

Here is a showing of cold facts and figures, the authenticity of which can not be challenged, which should be especially cheering to Iowa Republicans who have waged a winning fight for the President in this state.

## NO SOCIALIST MAJORITIES.

*(Cleveland Leader.)*

THE most valuable feature of the crushing Socialist defeat in Milwaukee is the evidence which it gives, in the most conspicuous manner possible, that where the Socialists have appeared to be strongest they are far short of having a majority. The lesson of the Milwaukee election is that Socialist victories have been plurality victories. In every case their successful candidates have slipped into office between the old parties. When and where the anti-Socialists unite they win.

Almost invariably one term of Socialist administration is followed by union among the anti-Socialists and then it is all over with Socialist domination. A single experiment is enough to convince the majority, which is always and everywhere opposed to socialism, that it is desirable to get together and defeat the revolutionary party.

Just now, with the country full of talk of unrest and radicalism, the Socialists are running into a remarkable sobering series of reverses. The Milwaukee downfall is by far the most conspicuous because it is on the largest scale. It involves the biggest city the Socialists have ever held, even for a year, in the United States. But two smaller towns afford extremely significant object lessons. In Butte, Mont., a mining center which has long been known as radical almost to the point of revolution, the Socialists have been completely routed. And in Girard, Kan., where the notorious Socialist paper, the "Appeal to Reason," which might better be called the "Appeal to Treason," is published, the Socialist ticket has been beaten more than two to one.

Nowhere does any municipal election indicate the slightest disposition on the part of the majority to retain a Socialist administration in office. Only one or two cities have been carried by the Socialists this spring, and they are places which had not made the same experiment before.

It is easy to speculate about the future. One man's guess may be as good as another's. But for the present the fact is beyond dispute that there are no Socialist majorities anywhere in America.



## ENGLAND'S GERMAN POLICY. •

(*Springfield Union.*)

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THE utterance of Winston Churchill, first lord of the admiralty, in the British Commons, respecting England's policy toward Germany, may well occasion disquiet to people of all nations who have watched the growth of national armaments in recent years.

Though the British navy no longer measures up to the "two-power" standard, England purposes, according to Mr. Churchill's declaration, to maintain its fleet at a ratio of 8 to 5, as compared to the fleet of Germany. If Germany would refrain from building the three superdreadnoughts now being projected in Berlin, England likewise would retrench to the extent of five new vessels. If Germany stands pat on its present program, England will build seven ships every two years for six years, and if Germany adds two ships to its program, England will add four, as it is bound to have a navy 60 per cent. stronger than that of its rival.

On the face of it, this proposition might seem like a move to check the scramble for big navies, but, marking as it does a direct challenge to Germany, the effect may be the reverse. There is considerable ground for the belief that Germany is bent on having a navy equally as strong as England's, and it remains to be seen whether the German government will accept the assurance that any such ambition is futile.

A forthcoming book by Gen. Fredrich von Bernhardt of Germany is calculated, judging from extracts given out from the advance proofs, to make John Bull more apprehensive than ever. The author anticipates that Germany will have to reckon in the next war with a naval attack by England and with a land attack by the French and Russians. Of the efficiency of the German army he entertains no doubt, but as regards the German navy, he naturally evinces less confidence, mindful as he is of the size of the English fleet. He speaks particularly of the need of political preparation, pointing out the merit of the policy of defeating one enemy before another can come to its ally's assistance. His great desire, apparently, is that affairs may be manipulated in

such a way that when hostilities arise Russia, for a time, will remain neutral.

"If we wish to contrive that one of our opponents shall attack us," writes the general, "we must inaugurate political action which, without attacking France, will so grievously affect hers or England's interests that those two countries will be compelled to attack. Possibilities of such a procedure are offered, both in Africa and Europe." He goes on to specify situations by which German "statesmanship" might hope to turn international jealousy to the advantage of Germany. A work of this kind, written by a man who is said to be very close to the German Emperor and to voice his views in many matters, seems like first-class fuel to feed the appetite for bigger warships and bigger standing armies.

If this book has its logical effect, Germany will authorize a few extra superdreadnoughts, and England in turn, panicstricken by the spectacle, will follow Germany's example and add more weight to the burdens already carried by the subjects of Britain. This kind of agitation, with its attendant waste and poverty, can have no other effect in the long run than to add weight to the demand for an extension of the arbitration principle which, unhappily, has just received a setback from the amendments with which our Senate has seen fit to cumber the international treaties recently submitted to it for ratification.

## WARFARE IN THE SKY.

(*Philadelphia North American.*)

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WHILE the war between Italy and Turkey excites little public attention outside the countries directly involved, there is one phase of it watched with the closest interest by the war offices and military experts of other nations. This phase is the operations of the few aeroplanes Italy has at her disposal in Tripoli; and though they have done nothing startling as yet, they have given such evidence of their usefulness in warfare as warrants, to some extent at least, the airship mania, in the grip of which many of the great powers of Europe now are.

In France this mania is particularly acute, and almost everywhere throughout the republic there is a campaign of patriotic and enthusiastic effort to make her mistress of the air. Just as Britons claim supremacy of the seas; just as Germans boast of their armed legions, that eclipse anything the world has ever seen, from the days of Xerxes to those of the great Napoleon, so is the manhood of France, and her youth and womanhood for that matter, determined to be supreme in the new sphere of warfares of the future. The great national call for subscriptions for military and naval aeroplanes has echoed throughout the length and breadth of the country, and to it every class in France has promptly and enthusiastically responded. The government itself, prompt to realize the wishes of the country and the vast importance of a big aerial fleet, has appropriated the large sum of \$4,600,000 for the development of military aviation this year; municipalities have followed suit, while newspapers, business firms and private individuals by the thousands have generously contributed to swell the great national fund. The money given by four Paris newspapers—the *Matin*, *Journal*, *Petit Journal* and *Petit Parisien*—which have subscribed \$10,000 each, will be spent on the special organization of a great "air mission" throughout France to collect funds to render the French army aeroplane fleet unrivaled. Every town of any importance will see aeroplane or biplane swoop downward from air to beg for money. The aeroplane constructors of Paris have decided to give seven of the newest type of machine and the services of

seven airmen to aid the "mission," and the object lesson which these will present is sure to raise the enthusiasm of the people to the level of something like a national frenzy.

In Germany the airship mania is less acute, but cured of the infatuation for the dirigible of the Zeppelin type, in which the kaiser was so long a believer, as he was so long a skeptic as to the utility of the heavier-than-air machine, the military authorities have come to recognize the merits of the aeroplane, and as a result the government has appropriated \$3,700,000 for the creation of a fleet. Although it is some sixteen years since the German Lillienthal, the world's first martyr airman, paid the toll since extorted from so many others, flying in Germany has a record of scarcely two years. It was not until 1910 that the first airman was licensed. Now, exclusive of the army, there are 165 men qualified to act as sky pilots and 3 women. The number of qualified army men and the number of available airships, or of those being constructed, is a war office secret, but it is believed that there are at least 200 such men, so that in case of a war with France there would be available military and civilian craft to the number of about 400 to do battle in midair with the aerial squadrons of the republic. The giant strides made by France in military aviation have undoubtedly given its impetus to the rival movement in Germany, and now fifteen works of the first magnitude and a hundred smaller firms are rapidly manufacturing flying machines of every conceivable type.

England is the most backward of the three great powers in the possession or development of aircraft. John Bull, as a rule, is shy of inventions or innovations that do not appeal to his pocket; but even John Bull has come to recognize that he, too, must have an aeroplane fleet. Accordingly, the latest army estimates for the current financial year include an appropriation of \$1,540,000 for aviation purposes. Compared with the money provided by France and Germany, this sum is not large, but it represents a step forward in the development of a military arm hitherto neglected. A joint army and naval school will be established, at which officers of both services will be taught the mysteries of air pilotage, and the work of scouting, wireless telegraphy and all the other necessities of aerial warfare.

And thus it is that the practical invention with which history must credit the Wright brothers, and which they undoubtedly designed for peace and the welfare of mankind, is turned by the nations into the channel that leads to the horrors of war.

## STATES' RIGHTS UP TO DATE.

*(Brooklyn Daily Eagle.)*

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For several years after the Constitution of the United States went into effect there was a question among lawyers as to the right of the Federal courts to set aside a State law. The Marshall decisions settled that point, and settled it finally, though there were cases in which the finding of the United States Supreme Court could not be enforced, such as the Georgia Indian lands action when Jackson as President let Georgia do as she pleased. However, the function of final interpretation now conceded by everybody to the Supreme Court makes the attitude of that court, as at present constituted, toward State rights most significant in the view of students of our system of government, at a time when the courts are being so vigorously attacked in the political field.

Several decisions handed down recently by the Supreme Court illustrate this attitude strikingly, and are worth more or less careful analysis by students of constitutional law. Here is one that is of universal application, affecting the rights of every person who deals with a private water company, a gas company or an electric light company. In Coeur d'Alene, Idaho, to coerce a man into paying back debts alleged but not adjudicated, a private water company cut off service. The State courts enjoined the company. The company appealed to the United States tribunals. The Supreme Court entirely sustains the State court, and turns down the corporation. It confines the public service creditor to a suit at law for what it claims as due to itself, a judgment to be collected in the ordinary way. This is manifestly equitable. No public service corporation can be made judge, jury and executioner in its own case.

Minnesota enacted a law intended to prevent swindling by corporations which are its own creatures. The law provided that stockholders in such corporations should be personally liable to twice the amount of stock held for sums owing by the corporation to creditors. And though Minnesota corporations have stockholders who do not live within the borders of the State, the Supreme Court decides that the law is valid and enforceable.

The action of the Missouri authorities in ousting the Standard Oil Company from the privilege of doing business in that State, and in imposing \$50,000 fines for restraint of trade on that company, is also sustained. This, of course, is a very important decision. It puts into the hands of any State full power to check trust operations within that State. Having such power, each State government will be responsible to its own people for protecting them against the evil effects of restraint of trade.

In only one case was the decision of the Federal court of last resort antagonistic to the State concerned. That was in the complaint of parties having earlier grants for the developing of the oil field in Oklahoma. They objected to the giving to other parties of like rights, holding that the exercise of such fresh-granted privileges meant the destruction of the value of their own grants. Here the Supreme Court protected the original grantees and overruled the State courts.

A birdseye view of these decrees indicates precious little of "fossilization," and points to no disposition to encroach on the rights of any State. The three rulings that have any general bearing on the political and economical future of the country are all for the State and against corporations.

The Minnesota rate case is being heard now. The intervention of the Governors of many States in their official capacity is the precedent-making feature of this case. The Federal Circuit Court in the Minnesota district undertook to set aside the railroad ratemaking laws of the State, not as unreasonable and confiscatory, but as interfering with interstate commerce on interstate roads, though directly affecting only freight rates between any two points in Minnesota. This was a new issue and was at once taken up by the Governors as vital to the future of the State Railroad commissions. That the question will be subjected to the same logical analysis that has been given to the cases above noted, and that it will be decided by the same justices, is a quieting reflection to those who have had their minds disturbed by the vociferous assaults on the motives as well as the methods of the great judicial tribunal which old-fashioned Americans regard as the very sheet-anchor of our republic.

## A WORLD-WIDE FAULT.

(*Lincoln Daily Star.*)

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It is not alone in this country that population is tending toward congestion in the cities. European countries are suffering from the same complaint. In France the census shows that in five years the population sustained an increase of 350,000, while that of the country outside of fifteen leading cities decreased in the same period by over 140,000.

Of the 350,000 increase in population in the five years over 305,000 was sustained by Paris alone.

The increase of population in Germany is greater than that of France, but it is confined to the cities of 50,000 and upward. Switzerland gained 438,000 in ten years, but the gain was in the cities of 25,000 and upward. Ireland, which is decreasing in population, shows gains in its large towns. More than 80 per cent. of the people in England reside in cities of 40,000 and upward. In practically all the European countries the urban territory is growing at a much greater rate than the rural territory.

These facts are the more remarkable because the rural life in Europe presents attractions not offered in this country. Antiquity has lent a charm to the rural village to which there is no approach in the new world.

Then again intensive farming has progressed to a much farther point than it has in this country.

From which it is apparent that the lure of the city is a problem that has not been solved.

## WHO IS GOING TO BENEFIT BY THE PANAMA CANAL ?

(*Baltimore Sun.*)

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AN interview given by Dr. Eusebio A. Morales, Minister of Panama to Germany, Holland and Belgium, to the New York "Times," shows how keenly alive those countries are to the trade possibilities opened to them by the Panama Canal. The Belgians, he says, are thinking of starting a line of steamers to Portland, Ore., and he assures us, if any assurance were needed, that those far-sighted, shrewd and indefatigable business men, the Germans, are not lagging behind in their efforts to make the most of the situation.

The United States has built and paid for the canal. If today Panama is as healthful as a "mountain resort," the American people are to be thanked for it. The question still remains, Is this nation's great work to be a purely altruistic performance? If not, how shall we profit?

There is the strategical advantage which the canal will afford our warships. But the advantages to be derived in case of war are a small thing in comparison with the perennial benefits of commerce. Of course, all increase in trade is a good thing for us in the long run. But, having undergone special sacrifices for the canal, we ought to derive special advantages therefrom, and in any case we should be refunded for our expenses. The Suez Canal has repaid its cost from tolls many time over. In a letter to the New York Chamber of Commerce Mr. Lewis Nixon pointed out how other nations—as, for instance, Austria—pay the Suez Canal dues of certain of their lines by way of subsidy. They would certainly not hesitate to do so for the sake of securing a larger share of the rich trade of South America. We believe that in principle—in practice rate-making is a very complicated matter, and many factors have to be considered—this country would be justified either in remitting dues to American ships or in giving them some equivalent advantage.



## THE PROBLEM TO BE WORKED OUT IN MEXICO.

(*Dallas News.*)

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THERE is no intelligent, fair-minded citizen of Mexico who can except seriously to the treatment which has been accorded by the Government of the United States to the Mexican Government. Reasonable efforts have been made to protect our Rio Grande border, and Gen. Reyes and other revolutionists have been prosecuted and compelled to carry their revolutionary schemes into their own country. In the face of a continuous annoyance, amounting to most serious consequences about El Paso and at other points along the border, the American Government, the American press and the American people have succeeded thus far in treating the neighbor across the Rio Grande with patience, forbearance and respectful consideration. Considering all the disturbances and losses, as well as the appetites, influences and forces that have been shrewdly worked up and appealed to by resourceful and ambitious adventurers on both sides, we as a Nation have made an excellent record and reputation for fairness and peace in our treatment of the Government and people of Mexico.

Secretary Knox is now returning home from a tour that seems to have done much to reassure the Central and South American neighbors of our friendly purposes. Incidentally the good influence of his visit has doubtless had some weight in Mexico.

Nobody is now criticising us over the discouraging reversals with which the Madero Government has been meeting recently. If the Federals are unable to withstand Orozco and to regain much that has been lost within the last month, it will be because of the inherent weakness of their cause, and that weakness will grow more desperate the more completely it is exposed.

In the meantime the problem thus brought home to the people of the United States grows in importance and in far-reaching possibilities every day. Of course it is a problem in which European countries also are interested; but, because of our proximity to the troubled country and because of our assertion of the Monroe Doctrine, we are here solely responsible for the performance of some most difficult tasks in the cause of liberty, justice and peace.

## THE GERMAN WOMAN'S ADVANCE.

(*New York Evening Post.*)

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WHOEVER was acquainted with social conditions in Germany in the early eighties will rub his eyes in amazement as he reads Professor Münsterberg's article, "The German Woman," in the current "Atlantic." Thirty years ago the rule was that women should concern themselves solely with *Kinder, Küche, und Kirche*. Anybody who did not find in children, kitchen, or church complete happiness was an "emancipated" person, of whom one spoke in the lowered tones in which one discussed social outcasts. American and English women who associated freely with men, were said to even walk with them unchaperoned, or, worst of all, to be seen in the ocean with them at Brighton or Newport, were held up to the young girls of Germany as truly horrible warnings. The Americans, it is true, might be well-gowned and attractive, but they were at one social extreme, as the Turkish women of the harems were at another, and both were to be avoided. Behind the inevitable table that stood before her sofa, the German matron sat supremely content with her status of upper house servant and administrator-in-chief to her lord and master, in whom alone resided the wisdom of the world.

But even in the early eighties there were portents of a change. The Englishwoman who was for so many years German Crown Princess, but never won the affections of the people, owed part of her unpopularity to her devotion to the strange foreign idea that women might learn Latin and Greek and the higher mathematics without loss of modesty or of their good names. By 1882, under the patronage of the Crown Princess Victoria, there was established in Berlin, despite widespread criticism, the Viktoria Lycée, the first Berlin institution for the higher instruction of women. Ridiculed, lampooned, derided as this institution was, it flourished from the beginning. Then bold and brazen American and Russian women appeared, demanding to work in university laboratories and hear certain great teachers. The public amusement thereat was great—but the women drove in a wedge here and another there. One got into a laboratory, where she worked apart by herself, as though she were afflicted with a con-

tagious disease. The academic sanctities could not otherwise be preserved. Gradually, in the early nineties, the lecture-rooms were taken by storm, and by 1903 there were no less than 562 women university students in Berlin alone, and the doors were open in Heidelberg, Freiburg, Munich, Erlangen, and Würzburg. Within the last two years the final barriers have been removed. The German girl is practically on the same footing as her brother in the German universities.

Obviously, this story is much the same as that told in other countries where the sex-line in education has been broken down. But the amazing thing about this revolution in Germany is the *speed* with which it has come to pass. The university battle was won in twenty years. Yet of all countries, Germany is supposed in such matters to be the most hidebound, and the pioneers in woman's education in Berlin never dreamed that there would be but thirty years from the opening of the Viktoria Lycée to the conquest of the whole field of higher education. It is precisely this note of the suddenness of the change which Professor Münsterberg dwells upon that makes his article so noteworthy. The world does move, and it was impossible to believe that in the wonderful social and industrial development of Germany the status of woman could remain unchanged. The Emperor's passionate avowal of his belief in the "three K's" as limiting the sphere of women has been as futile as was his attempt to check the spread of Socialism by declaring every Socialist a traitor to the Empire. Mighty social forces are at work; the great democratic and liberal wave that rocked all Europe from 1840 to 1870 did not then dissipate itself, as some have thought. It is still rising, and not receding; and this matter of the freeing of women from prejudice and narrowing convention, is but one sign of it, as the demand for universal manhood suffrage in Prussia and the growth of the Socialist party are others.

Nevertheless, Professor Münsterberg's summary of the changes he noted on his return to Berlin in 1910 is startling enough. A young woman carrying all before her in a meeting of distinguished people in Berlin called to deal with a university problem; a hundred women students where there was one before; a brilliant woman speaker at a banquet in honor of the seventieth birthday of a great jurist—what would a Gneist or a Von Hofmann or a Helmholtz or a Mommsen have said in 1890 of such a prospect? But not only in the field of education has the change come. Women have been swept out of the kitchen into industrial life—three and one-half million women, of whom no less

than 738,000 are independent owners and heads of establishments, while one occupation after another, and endless new activities in Government positions, have been thrown open to them. At bottom, says Professor Münsterberg, the compelling motive of the early feminist leaders was the deep sympathy of the more fortunate women, who were "touched by the misery of empty lives of women in their own layer of society." From this point public sympathy naturally spread to the masses; the Social Democracy has found in its battle for the laboring woman a splendid method of reinforcing and recruiting its own ranks.

With all this social transformation has come, Professor Münsterberg declares, a realization that equality in the home does not mean an abandonment of the old ideals of German family life or the placing of any obstacles in the way of true marital concord. The increase in the number of divorces in recent years he rightly does not consider significant; there are plenty of other contributing factors. It stands to reason that everything which enriches and elevates the life of women makes for a happier and richer family life. As to politics, Professor Münsterberg declares that the suffrage question is in the background because "the women themselves feel that their suffrage would simply duplicate the number of votes without changing anything in the character of the parties or of the Legislature." How often this has been said of conditions in the United States our readers are aware, and with what result. Professor Münsterberg's own article shows that he who should prophesy about conditions among German women twenty years hence would be rash, indeed. In our opinion, the suffrage agitation in Germany will grow by leaps and bounds, if only because the agitation for manhood suffrage in Prussia and elsewhere will inevitably set women to asking why the right to vote should be denied them.

## WHAT IS AN EXPRESS COMPANY?

(*Newark Evening News.*)

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Now that the Interstate Commerce Commission has made public its findings, it is very evident that anything bad hitherto said about the express companies would leave a white mark on their blackness.

It was shown that one company in a single day made 4,000 "mistakes" in charges, another 3,000 of which 2,998 were overcharges. Incompetence and extortion are mild terms to apply to such business.

The express companies are entitled to no consideration from the public. They have been careless, defiant, arbitrary and greedy. If you didn't like it, you could go do the other thing, but you had to pay for colossal dividends anyhow.

Now they are brought up with a round turn and convicted out of their own mouths, not only of extortion, but of incompetence.

The Commerce Commission has reached an agreement with the express companies upon an arrangement by which it is expected the worst abuses will be done away with. If it works, so far well and good. It is said that the system will somewhat approximate a parcels post.

But there is still another question—why not a real parcels post? Why should the carrying of small packages be differentiated from the carrying of letters? Why should "package mail" be considered a subject for private profit and so arranged by the government as to make most packages express matter when "letter mail" is a government monopoly?

Why is it that about every civilized nation has a parcels post except ourselves?

For large bundles, inconvenient for a properly equipped post-office to handle, perhaps an express company has a field in terminal service. Where no such service is required, the excuse for a private profit is hard to find.

And where such terminal service is required, why not have the railroads do it themselves? Why pay for two profits on every package?

What is the place in the scheme of things of an express company? Is it not a parasitic barnacle?

## THE DAWN OF CONFIDENCE.

(*Louisville Times.*)

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THE following notice has been received: "Business is good. Tell everybody so, and it will be better."

There is in all the axioms of the world of commerce and of industry no truth more certain than this. After a period of distrust follows pretty generally one of liquidation and readjustment; then a dragging time of uncertainty, when prophets of evil are likely to have their innings until the day arrives when shrewd observers begin to notice that the dire things that were going to happen did not come to pass. If harvests are bad, or if failures have been many and extensive, or if, anywhere in the world, there has been grieving waste in war, then will this waiting period be prolonged; but through it all savings will grow, as well because of the enforced economy as because stagnant industries are releasing capital and permitting loans to be paid off. Then one hears less of "bad times," though no one is talking of "good times;" then buying, which had been from hand to mouth, and reluctant at that, begins to expand to the point where surplus stocks can no longer satisfy it and the producer must needs increase his production. And so, very gradually and tentatively at first, with more employment comes a halt to pessimism; the effects of that increased employ—are shortly discernible in a greater buying power, and what was stagnant gives signs of activity and dilatation.

It has been often remarked that the most changeable element in the life of business is credit—the disposition of one man to trust another, not only by reason of his reliance on that other man's good faith, but by reason of his confidence in the outlook. After a time calamity, real or in a measure imaginary, everybody is suspicious of everybody else; let that calamity be over-looked, and everybody trusts everybody.

There is no mere theory of abstract economics. Confidence begets confidence and as our text teaches, business will be better when people at large are willing to admit that it is good. To that stage we seem at length to have arrived. The beneficial effects of the "course of sprouts" to which business has been sub-

jected are plain to be seen; there have been savings and economies, involuntary, perhaps, but real; and soon the question will arise how and where to invest this surplus. That it exists the banking position sufficiently evidences; so does the prosperity of agriculture, our national sheet-anchor; so does the issue of new securities. And it exists in Europe, Germany, perhaps excepted, as on this side. In spite of the severe crisis which was brought about by the British coal strike, paralyzing industry, forcing the sale of the invested funds of the unions, bringing, besides, starvation to the homes of hundreds of thousands, ever England is hopeful.

Why, then, may we not be of good cheer in these United States? Why may we not be brought to believe in "a good time coming?" The belief is not everything; but without the belief there can be no move in that direction. What is that warning we hear? Presidential year? That is a cock that will not fight—a bogey, so to speak. A legend without foundation. The history of prices in Presidential years disproves it. People have a habit of discounting the good and the evil; and, when on a large scale they make up their minds about what is going to happen, it has a way of happening because they help to bring it about. And, as to no single declared candidate, is the "calamity howler" abroad in the land; no, not even as to "Terrible Teddy." We have had him before and we know that his bark is worse than his bite; there are even some who aver that, though he make faces at Big Business, he will eat out of its hand.

Preachers have license to repeat their texts and we can do no better than remark once again: "Business is good. Tell everybody so and it will be better."

## Literary Notes

THERE has been recently published by The Macmillian Company one of the most complete historical surveys of the woman's rights movement that is today one of the vital problems both in the Occident and the Orient. This is the first book in the English language that gives the history of that movement in all the countries of the world, and is a translation by Dr. Carl Conrad Eckhardt, Instructor in History in the University of Colorado, of a German work written by Dr. Kaethe Schirmacher under the title of "*Die moderne Frauenbewegung*." The authoress is an ardent advocate of woman's rights, and although the views expressed may not meet with the agreement or approval of the reader, he will not fail to admit the earnestness and scholarly thoroughness of the presentation of the subject. The translator has done his work well, for it is a tritism to say that, as the genius of one language differs from that of another, it is seldom that a translated work rivets the attention and appeals to the interest like an original effort. We have found this translation an exception to the rule.

The woman's rights movement covers a wide field, and the suffrage agitation is but a small part thereof. The main demands are the same everywhere. They are the right to have equal educational opportunities as those enjoyed by men; freedom to choose life occupations and the receiving of equal pay for work of the same order; full civil ability for married women; the repeal of regulations in criminal law discriminating against women; and finally a recognition of "the incompleteness, harshness and one-sidedness of every circle of man's activity from which woman is excluded."

This book is a notable contribution to the study of the always interesting question of the just and happy relationship of the sexes, and it contains most valuable data on the subject. The status of woman is fully set forth under four main divisions, viz.: In Germanic and Romance countries, in the Slavic and Balkan States, and in the Orient and Far East.

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A very interesting and valuable work has lately appeared from the Harvard University Press in "*The History of the British Post Office*," by Dr. J. C. Hemmeon. It is the seventh volume in the series of Harvard Economic Studies, published under the direction of the Department of Economics and from the income of the Will-



iam H. Baldwin, Jr., 1885, Fund. The book deals with the postal establishment in England prior to 1635, before the post office was established, and traces the evolution of that institution from that date to the present day. All phases of the wonderful system of postal, telegraph, telephone and ocean intercommunication as affecting the relations of the British Post Office to its own and other peoples are ably presented. The high degree of efficiency admittedly attained in postal administration in Great Britain and the methods that are studied by other nations seeking the betterment of their postal systems make this work of great value not only to the student but to the practical man interested in such problems.

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A translation of Maurice Maeterlinck's remarkable essay on Death, by Alexander Teixeira De Mattos, has been published by Dodd, Mead & Company. The subject is treated in a broad, scientific and reverential spirit, and the reader will be alertly interested in noting the novel points of view regarding death that are placed before him. The author discusses the problems of the hereafter and of an infinite existence, seeking to show that, as Pascal said, "The narrow limits of our being conceal infinity from our view," and that Shakespeare voiced true philosophy in his well-known lines:

"There are more things in  
Heaven and Earth, Horatio,  
Than are dreamt of in  
Your philosophy."

The essay is worthy of careful study and pondering.

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A few years since it seemed as if the essay form of literary writing had lost its hold upon the reading public, but recently there has been a kind of renaissance. Dr. Frank Crane has produced a number of books containing short, pointed, suggestive thoughts and opinions on the great problems of human life and of man's relations to his fellowman, to his Creator and to the hereafter. The author's "Human Confessions" was a presentation of many striking and novel viewpoints. In "God and Democracy" he shows how "the idea of Democracy is altering the idea of God," that is of all ideas the most inspiring and uplifting. When proper conceptions of the Deity shall have taken possession of mankind, the author believes that the present age will be "cured of its money madness, profligacy, insane competition and indifference toward the higher values of life," and that there will be

healthful coöperation in business and religious and social relations. The work holds the reader's attention by the terse, vivacious and heartening style in which it is penned. The postlude, "The Hall of the Dead Gods," is particularly strong.

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A useful service has been performed by Edwin J. Clapp in writing a book entitled "The Port of Hamburg," recently issued by the Yale University Press. That port has given an object-lesson to the world in regard to harbor and transportation equipment and facilities. Mr. Clapp has, as he tells us in the preface, written "with the conviction that the much-needed modernization of our ocean and Great Lakes terminals must be along the lines followed in Hamburg, and that river transportation in America, if it is ever to be resuscitated, must be modeled on that of the great German streams, the Elbe and the Rhine." The work is presented as a suggestive study for a future programme of improved ocean and inland waterway transportation in the United States. The thoroughness of treatment, data, and comparative statistics, maps and illustrations, will be of vital interest to those who are called upon to deal with this important problem.

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There is always a fascination in works that endeavor to lift the veil of the great mysteries of life, death and the great beyond. From the poor, untutored Indian of Pope's familiar lines to the most highly cultivated intellectual human beings there is the same intense desire to fathom the problems of mundane existence and of immortality. A notable contribution to this class of literature has been published by Funk & Wagnalls Company, from the pen of William Hanna Thomson, a practising doctor of more than half a century's experience. In a scientific, thoughtful and humble spirit he discusses human destiny, the problems of mind and matter in their present relations and in the possibilities of an existence beyond the grave, where opportunities without end will be ours "for the development of human excellence in the service of Our Heavenly Father."

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No phenomenon in the recent political evolution of the American nation is so startling as the growth of socialism. It has been estimated that there are now over 800,000 socialists in the United States, and it is a fact that can not be gainsaid that the shadow of socialism casts itself across the pathway of our political progress and has to be reckoned with. The failure in administrative effort recently witnessed in Milwaukee, where so much was pre-

dicted by socialists, has once more demonstrated that when socialism is put to the touchstone of practical application, instead of being proclaimed as a theory, it is shown to be unworkable under present-day conditions. We refer to the tenets and views of the theoretical, albeit in many cases earnest advocates of socialism as laid down by the late Karl Marx and the early leaders of the propaganda and as modified by the socialists of our own day who claim to be in the vanguard of social reform. In the broad humanitarian sense of the word, rightly understood, we are all socialists and the greatest was the Teacher of Nazareth, who proclaimed to the world the lesson of love to our neighbors and fellowmen as one of the highest virtues and duties of mankind.

In the writings and public utterances of propagandists of socialistic systems there is so much vagueness and evasion of argument on the main issues that many seekers after truth will welcome a volume entitled "The Superstition Called Socialism," recently published by the J. B. Lippincott Company of Philadelphia. Its author is G. W. De Tunzelmann, who has given a most complete and scholarly analysis of the economical and practical aspects of socialism and the aims of its various organizations. Mr. Tunzelmann has made a study of the subject for many years and his conclusions bear out the judgment of all who have given earnest thought thereto, viz.: that socialism has no scientific basis and that its very foundations are irrational. He demolishes not only the economic structure of the Marxian system, "the central citadel of modern socialism," but also the basic theories and principles on which the entire superstructure has been erected.

*Havelock Fisher.*

The Modern Woman's Rights Movement. By Dr. Kaethe Schir-  
macher. Translated by Carl Conrad Eckhardt, Ph. D. The Macmillan  
Company. \$1.50 net.

The History of the British Post Office. By J. C. Hemmeon, Ph.D.  
Harvard University Press. \$2.00 net.

Death. By Maurice Maeterlinck. Translated by Alexander Teixeira  
De Mattos. Dodd, Mead & Company. \$1.00 net.

God and Democracy. By Frank Crane. Forbes & Company, Chi-  
cago. Fifty cents net.

The Port of Hamburg. By Edwin J. Clapp. Yale University Press.  
\$1.50 net.

Life, Death and Immortality. By William Hanna Thomson, M. D.,  
LL.D. Funk & Wagnalls Company. \$1.00 net.

The Superstition Called Socialism. By G. W. De Tunzelmann. J. B.  
Lippincott Company, Philadelphia. \$1.50 net.

## With Our Publishers

WE are gratified at having received many congratulations upon the series of character sketches of the presidential candidates *in posse* which were contributed from the pens of their respective campaign managers to our April number. We believe that such a symposium has never before been attempted in magazine literature. Our many friends and readers throughout the country seem to have regarded this number as particularly strong in dealing with some of the most important questions of the day. The constant aim of THE EDITORIAL REVIEW is to present timely articles helpful in the study of conditions and issues that affect the well-being of the body politic and social.

In the current number appears an article by Lewis Nixon on "The Lesson of the Titanic," which will, we feel sure, be read with interest and received with respectful attention, for Mr. Nixon is widely recognized as an authority on shipbuilding and naval construction. His suggestions are based on long years of practical experience and study of nautical questions.

The subject of prison life and penology has recently been brought prominently before the public by a complex and difficult case. The contribution by Mrs. Ballington Booth on "The Humanizing of Prisoners" is therefore of more than passing interest. It embodies the results of close observation and of familiarity with prison conditions extending over a number of years, and Mrs. Booth's earnest exhortations can not fail to arouse a responsive echo in the hearts of all who believe in putting into practice the great law of humanitarianism, around which much sentimentalism has gathered, but which must ever express the highest Christian and ethical ideals.

The past progress along industrial and manufacturing lines that has sent this country forward by immense impetus to its present foremost position as a commercial nation has been in no small measure due to the inventive genius and the skill in practical mechanical adaptations of machinery to the needs of manufacture that distinguish its people. The United States leads the world in the matter of patented inventions covering every field of human endeavor. There is now much controversy on the patent law as it exists today. The article by Gilbert H. Montague on "The Bogey of the Patent Monopoly" presents the issues clearly and dispassionately.

As we have more than once remarked in regard to **THE EDITORIAL REVIEW**, we can have no cut-and-dried programme, because our purpose is to bring each month before our readers the "live" issues of the times by men and women who are in the midst of the fray of solving the problems that confront us as a nation and in our relation to our fellow-citizens and the world at large. We shall present in early numbers a series of articles dealing with our great manufacturing industries; for there are many inside facts that are not known to the general public and that would cause many critics to take an entirely different view from that based upon imperfect appreciation of the actual conditions and the relations of the producers, the middlemen and the consumers. There are important factors in this regard that affect the question of the cost of living. **THE EDITORIAL REVIEW** stands ready to present the facts by men whose statements can be absolutely accepted on account of their status and experience in the manufacturing and industrial world. The first of the series, "The American Wool Manufacture," by Winthrop L. Marvin, is thought-compelling and will, we are convinced, be read with absorbing interest.

Our magazine is now firmly established in public estimation as an organ on public questions that presents them in such a way as to enable the reader to form his own judgment and come to his own conclusions, confident that he has authoritative data and sound information on which to base his thinking.



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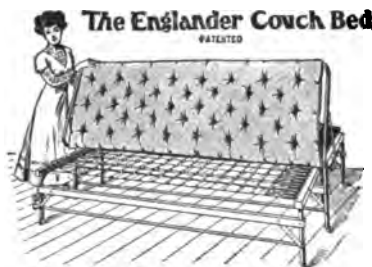
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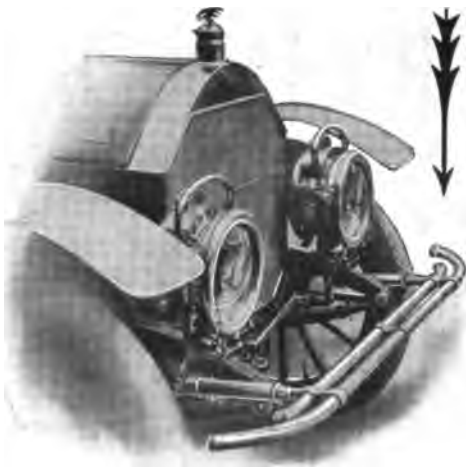
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